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CRL OP NO. 5468 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5468 of 2025

Anandhan

Petitioner/A6

Vs

State Rep By,
The Inspector Of Police
Thiruppathur Taluk Police Station,
Thiruppathur
(Cr.No 51 of 2025)

Respondent(s)

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on anticipatory bail in the event of arrest in Crime No. 51 of 2025 pending on the file of the respondent police.

For Petitioner(s): Mr.E.Kannadasan

For Respondent(s): Mr.S.Santhosh, Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 111(2)(b), 11892) and 352 of BNS, 2023 in Crime No. 51 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de facto



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complainant are relatives; that on account of a civil dispute between them, a wordy quarrel arose; that thereby, the petitioner and other accused abused and assaulted the de facto complainant using wooden log. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; that a counter case has also been registrered against the de facto complainant; that the other accused were granted anticipatory bail by this Court and in any case custodial interogation of the petitioner is not required for the purpose of investigation and hence, he prayed for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the injured was discharged from hospital and that the investigation is pending, hence opposed for grant of anticipatory bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

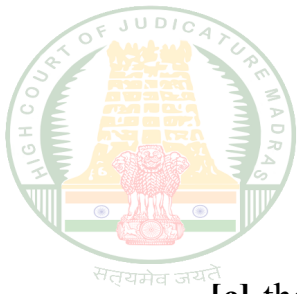
6. Considering the submissions made on either side; nature of allegation; that the injured was discharged from the hospital; that the co-accused were granted anticipatory and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate Court -II, Thiruppathur** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day at 10:30 a.m., until further orders;

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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

- 1.The Inspector Of Police
Thiruppathur Taluk Police Station,
Thiruppathur
- 2.The Judicial Magistrate Court -II,
Thiruppathur
- 3.The Public Prosecutor,
High Court Madras.

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