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CRL OP NO.6509 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.6509 of 2025

Surya @ Muruganantham

petitioner/A3

Vs

State Rep By,
The Inspector Of Police
Koradachery Police Station,
Thiruvarur District.
(Cr.No 42 of 2025)

Respondent

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.42 of 2025 pending on the file of the respondent police.

For petitioner: Mr.Muthamizh Selvakumar P

For Respondent: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 126(2), 296(b), 131, 351(3) and 309(4) of the BNS 2023 r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 2002 in Crime No.42 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that while the de facto complainant and his wife were returning home in a two wheeler, the petitioner along with the other accused came in a bike; that they pulled the dress of the de facto complainant's wife, snatched 2 sovereign gold chain, assaulted the de facto complainant and his wife and that abused them in flithy language.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner was implicated on the confession of the co-accused/A1; that the co-accused/A1 was arrested and released on bail; that the stolen article was recovered and that the petitioner has no bad antecedents.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that petitioner has no bad antecedents.



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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. Taking note of the facts and circumstances of the case, the nature of allegations, submissions made by the learned counsels on either side, the stolen article was recovered, the petitioner was implicated based on the confession of the co-accused/A1, the co-accused/A1 was arrested and released on bail, the petitioner has no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate Court, Needamangalam** on condition that the petitioner shall execute a separate 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



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the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[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 B.N.S.

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To

1.The Inspector Of Police
Koradachery Police Station,
Thiruvarur District.
(Cr.No42 of 2025)

2.The Judicial Magistrate Court
Needamangalam

3.The Public Prosecutor,
High Court Madras.

SUNDER MOHAN, J.



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