



WEB COPY



CrI.O.P.No.5413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

CrI.O.P.No.5413 of 2025

Raghu

...Petitioner/Accused

Vs.

The State Rep by
Inspector of Police,
Minjur Police Station, Avadi City
Cr. No.508 of 2024

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of BNSS, 2023, to
enlarge the petitioner on bail in the event of his arrest in the above Crime
No.508 of 2024, pending investigation on the file of the respondent police.

For Petitioner : Mr.T. Ananthasekar
For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS Act, in Crime No.508 of 2024 (294(b), 324, 506(II) IPC), on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.09.2024, due to wordy quarrel, the petitioner and other accused assaulted the *de facto* complainant using steel pipe. Hence, the case.

3. The learned counsel for the petitioner would submit that the



Crl.O.P.No.5413 of 2025

petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that even as per the prosecution, the injured has been discharged from the hospital. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, on instructions submitted that the injured has been discharged from the hospital and there is no previous case against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegation; there is no previous case pending against the petitioner; that the victim was also discharged from the hospital; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.II, Ponneri**, on condition that the petitioner 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, on



Crl.O.P.No.5413 of 2025

further condition that:

WEB COPY

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

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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* reported in [(2005)AIR SCW 5560];

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

gya

27.02.2025



Crl.O.P.No.5413 of 2025

SUNDER MOHAN,J.
gya

WEB COPY

To

1.The Judicial Magistrate, No.II
Ponneri

2.Inspector of Police
Minjur Police Station
Avadi City

3.The Public Prosecutor
High Court of Madras

Crl.O.P.No.5413 of 2025

27.02.2025