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CrI.O.P.No.5885 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.5885 of 2025

Suresh

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.

(Crime No.125 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in Crime No.125 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Govindarajan

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.125 of 2025 registered for the offence under Section 296(b), 115(2) & 351(3) of BNS read with Section 4 of Women Harassment Act.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours; that there was a wordy quarrel between them, since the defacto complainant was throwing wastes in public land. On 14.02.2025, the petitioner attacked the defacto complainant and his family members and caused grievous injuries.

3. The learned counsel for the petitioner would submit that the allegations are false; that the accused was attacked by the defacto complainant and his mother and that in any case, custodial interrogation is not required for the purpose of investigation and sought for anticipatory bail.



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WEB COPY 4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the petitioner had attacked, the defacto complainant's mother and caused grievous injuries and on instructions, submitted that injured has been discharged from the hospital.

5. Considering the nature of allegations, the fact that the injured has been discharged from the hospital 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 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 days from the date of receipt of copy of this order, before the learned **Judicial Magistrate No.I, Avinashi**, 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 further



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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 Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner shall stay at Coimbatore and report before the Race Course Police Station 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 [(2005)AIR SCW 5560]*;

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

04.03.2025

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Copy to:

- 1.The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
2. The Inspector of Police,
Race Course Police Station,
Coimbatore District.
- 2.The Judicial Magistrate No.I, Avinashi.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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