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Crl.OP.No.5723 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5723 of 2025

Rajkumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kottur Police Station,
Tiruvarur District.
(Crime No.35/2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No. 35 of 2025, pending on the file of the respondent police.

For petitioner : Mr.Camyles Gandhi W

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

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 194 BNSS @ 108 BNS (174 Cr.P.C @ 306 IPC), in Crime No.35 of 2025, seeks



anticipatory bail.

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2. The case of the prosecution is that the deceased was working as Headmaster in Government Higher Secondary School; that the petitioner was working as Social Science Teacher. During the Review meeting, the deceased asked the petitioner to pay attention and take classes properly; that due to the irresponsible act of the petitioner, the higher authorities questioned the deceased. As a result, the deceased suffered mental agony and consumed poison and committed suicide. Hence the case.

2. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the case has been registered against the petitioner under Section 194 of BNSS and has not been altered to Section 108 of BNS and the petition enquiry is pending.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police.



Crl.OP.No.5723 of 2025

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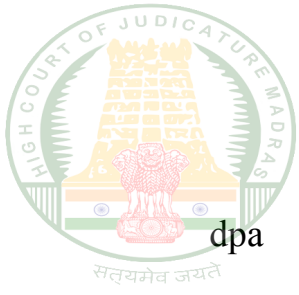
4. Considering the facts and circumstances, the respondent Police has to issue notice under Section 35 of BNSS, 2023 to the petitioner and the petitioner is directed to appear before the respondent Police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any prima facie case is made out against the petitioner, register the F.I.R or close the petition enquiry within a period of three weeks from the date on which the order copy is made ready. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry, on the complaint lodged by the defacto complainant.

5. With the above directions, this Criminal Original Petition is disposed of.

03.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No

Page No.3 of 4



WEB COPY



Crl.OP.No.5723 of 2025

SUNDER MOHAN, J.

dpa

To

1. The The Inspector of Police,
Kottur Police Station,
Tiruvarur District

2. The Public Prosecutor,
Madras High Court,
Chennai.

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03.03.2025