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CRL OP NO.6364 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.6364 of 2025

Ajay @ Mohanraj

Petitioner/A1

Vs

The State Rep By
The Inspector of Police
Mandharakuppam Police Station,
Cuddalore District.
(Crime No.11 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. 11 of 2025 pending on the file of the respondent police.

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) and 109 of the BNS, 2023 in Crime No.11 of 2025, on the file of the



respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioner on account of previous enmity, attacked the de facto complainant with knife and caused injuries to him and had committed the aforesaid offences.

3. The learned counsel appearing for the petitioner would submit that the petitioner had earlier lodged a complainant against the de facto complainant; that he had posted obscene pictures and videographs by morphing the images of the petitioner's sister and her one year old daughter; that he had lodged a complaint in Crime No.7 of 2024 registered under Sections 13(c) r/w 14(1) of the POCSO Act, Sections 67(B) and 67(B)(b) of the Information Technology Act and the instant case is filed to counter the complaint.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and confirmed that a case is pending against the de facto complainant in Crime No.7 of 2024 and the injured has been discharged from hospital.



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

6. Considering the aforesaid facts, the fact that the injured has been discharged from the hospital, there is a counter case against the de facto complainant, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

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 District Munsif cum Judicial Magistrate Court**, 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 the satisfaction of the learned Magistrate concerned, failing which, the petition



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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 everyday 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.

06.03.2025

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To

1.The Inspector of Police
Mandharakuppam Police Station,
Cuddalore District.
(Crime No.11 of 2025)

2.The District Munsif cum Judicial Magistrate Court

3.The Public Prosecutor,
High Court Madras.



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SUNDER MOHAN, J.

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