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CRL OP No. 6116 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6116 of 2025

Kaviyarasu

S/o Perumal, No.3-125, Thanaathiyur,
Sanarapatti, Mettur Taluk, Salem
District.

Petitioner(s)

Vs

The State Rep. By, The Inspector of
Police,
Nangavalli Police Station, Salem
District. (Crime. No.38 /2025).

Respondent(s)

CRL OP No. 6116 of 2025

PRAYER

To enlarge the petitioner on bail in the event of arrest a case in crime No. 38 of 2025 on the file of the Respondent and thus render Justice.

CRL OP No. 6116 of 2025

For Petitioner(s): Deepak Kumar C

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



ORDER

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The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 304(2) and 62 of BNS (379, 511 of IPC) in Crime No.38 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant is the Headmaster of the School; that on 10.02.2025, two strangers outside the School waylaid a student and physically harassed her and attempted to remove her anklet for the purpose of consuming alcohol and thus, committed the aforesaid offence.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner/A2 has no previous case. He further submitted that A1 was arrested and remanded to judicial custody.

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

6. Considering the nature of allegations, the fact that the petitioner has no bad antecedents and since custodial interrogation of the petitioner is not required, 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 of receipt of copy of this order, before the **learned Judicial Magistrate**

No.I, Mettur, on condition that the petitioner shall 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 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 as and when required for interrogation.

[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



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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.

05-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

AT

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To

1. The State Rep. By, The Inspector of
Police,
Nangavalli Police Station, Salem
District. (Crime. No.38 /2025).

05.03.2025