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CRL OP NO. 6257 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 6257 of 2025

Abhijit Mondal

petitioner

Vs

The State Rep By
The Inspector of Police
R-5, Virugambakkam Police Station,
Virugambakkam – 600 093.
Crime No. 38 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. 38 of 2025 pending on
the file of the respondent police.

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 118(1) and 351(3) of the
BNS in Crime No. 38 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 is the husband of the de facto complainant; that the petitioner had attacked the de facto complainant with knife and caused injuries to her.

3. The learned counsel appearing for the petitioner would contend that the allegations against the petitioner are false; that since the petitioner had questioned the de facto complainant about her illegal relationship, instant complaint has been lodged.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and submitted that there is a matrimonial dispute between the petitioner and the de facto complainant and that the injured was discharged from hospital.

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.



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6. Considering the nature of allegations and relationship between the parties, 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 on 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 on which the order copy made ready, before **the XXIII Metropolitan Magistrate Court, Saidapet, Chennai** 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 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



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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 Vellore for a period of two weeks.

[c] the petitioner shall report before the Vellore Town Police Station at 10:30 a.m, for a period of two weeks and thereafter, as and when required

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]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].

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

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To

- 1.The Inspector of Police
R-5, Virugambakkam Police Station,
Virugambakkam – 600 093.
- 2.The XXIII Metropolitan Magistrate Court, Saidapet, Chennai
- 3.The Public Prosecutor,
High Court Madras.



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SUNDER MOHAN, J.

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