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Crl.OP.No.6507 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6507 of 2025

1.Suresh @ Esakipandy
2.Karthick Kumar

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai District.
(Crime No.73/2025)

.. Respondent

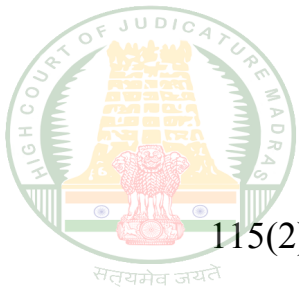
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of their arrest in Crime No.73 of 2025 on the file of the respondent Police.

For Petitioner : M/s.Muthamizh Sekvakumar P

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Section 296(b), 118(1), 126(2),



115(2), 351(3) of BNS, 2023, the relevant provision of 294(b), 323, 324, 341, 506(ii) of IPC in Crime No.73 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, on account of prior enmity, the petitioners threatened and assaulted the defacto complainant with hands and stones.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.

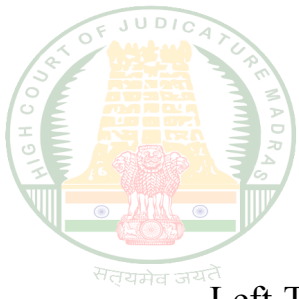
4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the injured has been treated as out patient; that the petitioners has no bad antecedents.



5. Heard the learned counsel for the petitioners 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 injured has been discharged from the hospital, the petitioners has no bad antecedents, and since, custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned XXIII Metropolitan Magistrate Court, Saidapet**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CrI.OP.No.6507 of 2025

[a] the petitioners 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 petitioners shall report before the respondent police twice a week at 09.00 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial.

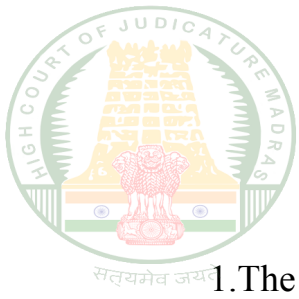
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners released on bail by the learned Magistrate/Trial Court himself as laid 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 BNS.

07.03.2025

Index : Yes / No
Internet : Yes / No
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To



CrI.OP.No.6507 of 2025

WEB COPY

1.The Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai District.

2.The learned XXIII Metropolitan Magistrate Court,
Saidapet.

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

SUNDER MOHAN, J.

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WEB COPY



Crl.OP.No.6507 of 2025

Crl.O.P.No.6507 of 2025

07.03.2025