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CRL OP No. 7358 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7358 of 2025

R. Gowri Shankar,
S/o.Rajan
54/36, C3, Vinayaga Flats,
Anjaneyarkoil Street, Pudhiya Periya
Paalayathu Amman Koil,
Essa Pallavaram, Chennai-600043

Petitioner(s)

Vs

State of Tamil Nadu, Rep.By,
The Inspector of Police,
T-3, Pallavaram Police Station,
G.S.T. Road, Chennai - 600 043

Respondent(s)

CRL OP No. 7358 of 2025

PRAYER

To enlarge the petitioner on bail in the event of his arrest by the respondent Police herein in F.I.R. No. 389 of 2024 on the file of the respondent police.

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For Petitioner(s): Mr. M L Ravi

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 427, 294(b) and 506(1) of IPC in Crime No. 389 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner and the defacto complainant are residing in the same apartment; that near the said apartment the defacto complainant owned 800 sq.ft of land and she had constructed a compound wall by using metal sheets; that same was damaged by the petitioner; that when the defacto complainant questioned the petitioner, the petitioner attempted to assault the defacto complainant.

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



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the petitioner has damaged the compound wall of the defacto complainant and also attempted to assault her.

5. Considering the nature of allegations and the fact that it is a dispute between neighbours, this court is of the view that the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 is made ready, before the ***learned Judicial Magistrate No.II, Tambaram***, on condition that the petitioner shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions

that:

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[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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners are 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.

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To
1.State Of Tamil Nadu, Rep.By,
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SUNDER MOHAN, J.

AT

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