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Crl.O.P.No.7446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7446 of 2025

Ashok

... Petitioner/ Accused No.1

Vs.

The State Represented by,
The Inspector of Police,
M-8, Sathangadu Police Station,
Avadi City.
(Crime No.46 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on
anticipatory bail in the event of his arrest by the respondent police concerned
in Crime No.46 of 2025 on the file of the respondent police.

For Petitioner : M/s. T. Perinbanathan

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



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ORDER

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.46 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on account of previous enmity, the petitioner waylaid the defacto complainant, abused him with filthy language; that thereafter, the petitioner along with other accused assaulted the defacto complainant using stones and threatened of dire consequences; that thereby the defacto complainant sustained injuries. Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that on account of previous dispute between the defacto complainant and the petitioner pertaining to parking of their vehicles, a false complaint has been lodged by the defacto complainant; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-



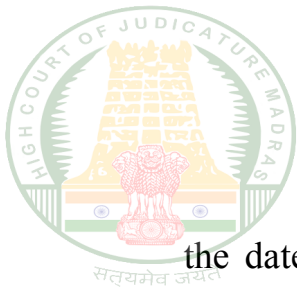
operate for the investigation, and prayed for anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the petitioner is arrayed as A1 in this case; that the petitioner has one previous case and the same was disposed of; that the injured was discharged from the hospital; and that the investigation is pending, hence opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the previous case registered against the petitioner is disposed of, the injured was discharged from the hospital and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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



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the date on which the order copy made ready, before **the learned Judicial Magistrate, Thiruvotriyur** 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 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.



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[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.

18.03.2025

stn

To

The Inspector of Police,
M-8, Sathangadu Police Station,
Avadi City.
(Crime No.46 of 2025).



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SUNDER MOHAN, J.

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