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Crl.OP.No.7979 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7979 of 2025

P.Deepan (a) Deepan Raj ... Petitioner(s) /Accused

Vs.

The State, rep. by
Inspector of Police,
E1, Ponneri Police Station,
Thiruvallur District – 601 204. ... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.47 of 2025 on the file of the respondent or on his appearance before the concerned court to release the petitioner on bail.

For petitioner(s) : Mr.M.Thyagarajan

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



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 329(4), 115(2) and 351(2) of BNS, 2023, r/w Section 4 of TNPHW Act, in Crime No.47 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant with a wooden log and abused him in filthy language.

3. The learned counsel for the petitioner would submit that the petitioner had also lodged a complaint against the defacto complainant, and in order to counter that, the present complaint has been lodged by the defacto complainant; that the injured has been discharged from the hospital; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirms that, on the complaint given by the petitioners, a case has been registered and is being investigated as a case and counter by the respondent.

5. Considering the nature of allegations, the fact that it is a case of case and counter; that the injured has been discharged from the hospital; the petitioner has no bad antecedents 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 the date on which the order copy is made ready, before the **Judicial Magistrate No-I, Ponneri**, on condition that the petitioner shall execute a 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



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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 appear before the respondent police daily 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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is



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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 BNS.

19.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. Inspector of Police,
E1, Ponneri Police Station,
Thiruvallur District – 601 204.

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

3. Judicial Magistrate No-I, Ponneri

SUNDER MOHAN, J.

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