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Crl.O.P.No.7544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No.7544 of 2025

Sambath @ Sampath

... Petitioner

Vs

State rep by

Station House Officer

Reddiarpalayam Police Station

Pondicherry

Crime No.45 of 2025

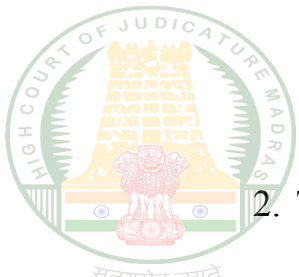
...Respondent

For Petitioner : Mr.M.Govindaraju

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132, 351(3) of BNS Act, 2023 r/w Sec. 3(5) of BNS Act, 2023 equivalent Sections 294(b), 353, 506(ii) r/w 34 IPC in Crime No.45 of 2025, seeks anticipatory bail.



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

3. The 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 to the petitioner.

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 discharged from the hospital and that there is no previous case against the petitioner.

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, 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.

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8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate – III, Puducherry**, 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 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 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 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



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laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**
[(2005)AIR SCW 5560];

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[f] If the accused thereafter absconds, a fresh FIR can be registered
under Section 269 BNS.

14.03.2025

Index : Yes / No
Internet : Yes / No

dpq

To

The Station House Officer
Reddiarpalayam Police Station
Pondicherry



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SUNDER MOHAN, J.

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