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CrI.O.P.No.8160 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

CrI.O.P.No.8160 of 2025

Suresh

... Petitioner

Vs.

State, Rep. by

The Inspector of Police

Vettavalam Police Station

Tiruvannamalai District (Crime No.221 of 2024)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest in Crime No.221 of 2024, on the file of the respondent Police.

For Petitioner : Mr.R.Mohan

For Respondent : Mr.S.Santhosh

Government Advocate (CrI.Side)

**ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 118(1), 351(3) of BNS r/w. Section 4 of TNPHW Act, in Crime No.221 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, due to a dispute between the petitioner and the de facto complainant with regard to laying of pipe line for drinking water, the petitioner attacked the de facto complainant.

3.The learned counsel appearing for the petitioner submitted that the



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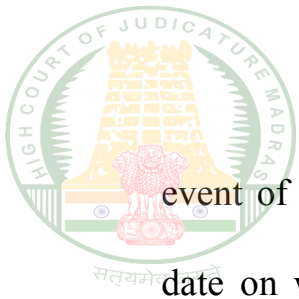
petitioner is innocent; that he has been falsely implicated in this case. He further submitted that it is a case in counter, earlier this petitioner had filed a case in Crime No.185 of 2024 against the de facto complainant and her family, to escape from that case, the de facto complainant falsely filed Cr.No.221 of 2024 against this petitioner and prayed for anticipatory bail for the petitioner.

4.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 petitioner has no bad antecedents and the injured has already been discharged from the hospital.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the petitioner has no bad antecedents and injured has been discharged from the hospital and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the



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event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Munsif cum Judicial Magistrate, Kilpennathur** 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:

[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.

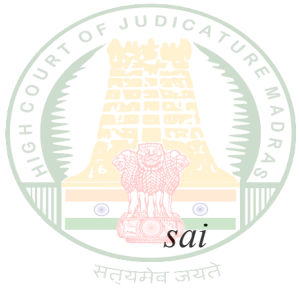
**[b] the petitioner shall report before the respondent police as and when required for interrogation.**

[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 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.



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**SUNDER MOHAN, J.**

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- To
- 1.The Munsif cum Judicial Magsitrate, Kilpennathur
  - 2.The Inspector of Police  
Vettavalam Police Station  
Tiruvannamalai District
  - 3.The Public Prosecutor,  
High Court of Madras.

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