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CRL OP NO.8256 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8256 of 2025

Lokesh

Petitioner

Vs

State Rep By,
The Inspector Of Police
K9 Thiru.vi.Ka.Nagar Police Station,
Chennai.
(Cr.No.88 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on
anticipatory bail in the event of arrest in Crime No.88 of 2025 pending
on the file of the respondent police.

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

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 296(b), 109
and 351(3) the IPC, in Crime No.88 of 2025, on the file of the respondent
police, seeks anticipatory bail.



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2. The case of the prosecution is that on account of prior enmity, the accused persons had threatened and assaulted the de facto complainant.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case, that he is innocent and the petitioner was sought to be implicated on the confession of the first accused and in any case, custodial interrogation is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, submitted that the injured had sustained grievous injuries and was discharged from the hospital and that the petitioner has no bad antecedents.

5. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the petitioner has no bad



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antecedents, that the petitioner was implicated on the confession of the first accused and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with one of the condition that ***the petitioner shall stay at Vellore, until further orders*** and other conditions are as follows.

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 made ready, before **the learned V Metropolitan Magistrate, Egmore, Chennai** 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.



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[b] the petitioner shall report before the Inspector of Police, Vellore North Police, Vellore, every day 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 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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To:

1. The Inspector Of Police
K9 Thiru.vi.Ka.Nagar Police Station,
Chennai..
2. The V Metropolitan Magistrate,
Egmore, Chennai.
3. The Public Prosecutor,
High Court Madras.
4. The Inspector of Police,
Vellore North Police Station,
Vellore.



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SUNDER MOHAN, J.
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