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Crl O.P.No.8335 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 8335 of 2025

Magesh Babu

Vs

Petitioner

The State Rep by,
The Inspector of Police,
Maraimalainagar Police Station,
Chengalpattu District.
(Crime No.109 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. 109 of 2025 pending
on the file of the respondent police.

For Petitioner : Mr.Vijayaragavan Marimuthu
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 75(2) of the
BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment
of Women Act, in Crime No.109 of 2025, on the file of the respondent



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police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had misbehaved with the de facto complainant, who was working as a nurse in a private hospital.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and in any case, custodial interrogation of the petitioner is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has no bad antecedents.

5. Taking into consideration the facts and circumstances of the case, the nature of the allegation, the petitioner has no bad antecedents and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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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 of receipt of a copy of this order, before the **learned Judicial Magistrate, Additional Mahila Court, Chengalpattu** 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 said Magistrate, 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 stay at Tiruppur and report before the Inspector of Police, South Police Station Tiruppur, daily at 10:30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or



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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,
Maraimalainagar Police Station,
Chengalpattu District.
2. The Judicial Magistrate,
Additional Mahila Court,
Chengalpattu.
3. The Public Prosecutor,
Madras High Court.
4. The Inspector of Police,
South Police Station,
Tiruppur



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SUNDER MOHAN, J.

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