



WEB COPY

Crl.O.P.No.10418 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.10418 of 2025

Rajeshkumar
S/o.Subramaniam

....Petitioner/Accused 3

Vs

The State by
The Inspector of Police,
Udumalpet Police Station
Udumalpet, Tiruppur District

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.7 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. D. Arun

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



ORDER

WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(3) of BNS and subsequently altered to 296(b), 115(2), 118(1) and 351(3) of BNS, in Crime No.7 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that pursuant to a wordy quarrel on account of a dispute, the accused persons attacked the *de facto* complainant. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the allegations against the petitioner are false; that the petitioner was not involved in the said offence and that the petitioner is ready to furnish sufficient sureties and to abide by any conditions that may be imposed by this Court and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for



WEB COPY

the respondent police reiterated the prosecution case and submitted that the injured has been discharged and that there are previous cases against the petitioner and he is on bail in those cases and opposed to grant of anticipatory bail to the petitioner.

5. Considering, the nature of allegations against the petitioner, the injured has been discharged from the hospital, the petitioner is on bail in the previous cases against him, and since custodial interrogation of the petitioners 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 made ready, before **the learned Judicial Magistrate No.I, Udumalpet, Tiruppur District**, 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



WEB COPY

Crl.O.P.No.10418 of 2023



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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.



WEB COPY

bga

Crl.O.P.No.10418 of 2025



08.04.2025

To

1. The Judicial Magistrate No.I, Udumalpet, Tiruppur District
2. The Inspector of Police,
Udumalpet Police Station
Udumalpet, Tiruppur District
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.10418 of 2025

SUNDER MOHAN, J.

bga

Crl.O.P. No.10418 of 2025

08.04.2025