

Crl.O.P.No.8645 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8645 of 2025

Senthilkumar

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
(Cr.No.148 of 2025)

Respondent(s)

For Petitioner(s): Mr.C.S.Saravanan

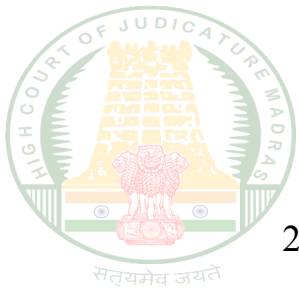
For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

For Intervener : Mr.R.Kannan

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.148 of 2025 on the file of the respondent police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 118(1), 351(3), 324(4), 324(5) of BNS, in Crime No.148 of 2025, on the file of the respondent Police, seeks anticipatory bail.



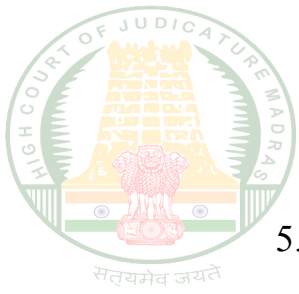
2.The case of the prosecution is that due to the land dispute, there

was a quarrel between the accused and the de-facto complainant and others, during which, the accused abused and assaulted the defacto complainant with knife, due to which, the defacto complainant sustained injuries. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that the defacto complainant had filed a suit in the year 2024 against the petitioner claiming right over the property and the same is pending; and in any case, the custodial interrogation of the petitioner is not required; and hence prays for grant of anticipatory bail to the petitioner.

4. Learned counsel appearing for the intervenor/defacto complainant submitted that the petitioner has no right over the property; and opposed for grant of anticipatory bail to the petitioner.

5. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital; and that the petitioner has no bad antecedents.



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5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) for the respondent police, the learned counsel for the intervenor/defacto complainant 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 counsel on either side, the fact that the 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 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 Court, Kangeyam**, 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:



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[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;

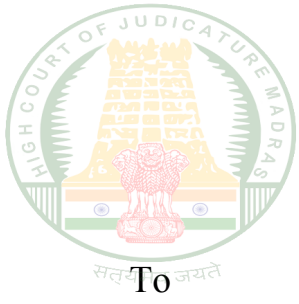
[d] the petitioner shall not abscond either during investigation or trial;

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

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To

1. The Inspector of Police,
Kurinjipadi Police Station,
Cuddalore District.

2. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN J.

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