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CRL OP NO. 8738 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 8738 of 2025

M.Murugan

S/o.Munusamy, No. 17, Srinivasa Nagar VPG Avenue
Extension, Mettukuppam, Chennai -600 097.

Petitioner(s)

Vs

The State rep. by, The Inspector of Police,
Chemmnanchery Police Station, Chennai. (Cr.No. 102
of 2025)

Respondent(s)

For Petitioner(s):

Mr. Chandru N

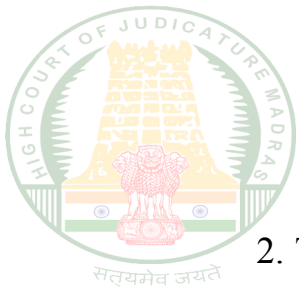
For Respondent(s):

Mr.S.Balaji

Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 132, 221, 351(2) of BNS, 2023 r/w Section 4 of Women Harassment Act in Crime No.102 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioner is a practising Advocate before the District Munsif Cum Judicial Magistrate, Sholinganallur; that the petitioner had abused the Head Clerk accusing him of not giving the desired hearing date; and that thereafter, on 18.03.2025, when the said case was taken up for hearing, the petitioner abused the learned Judge and the defacto complainant/Head Clerk in filthy language. Hence, this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and that, the petitioner has now filed an affidavit dated 02.04.2025 tendering his unconditional apology and also undertaking that he would not indulge in such activities in future. He further submitted that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner.



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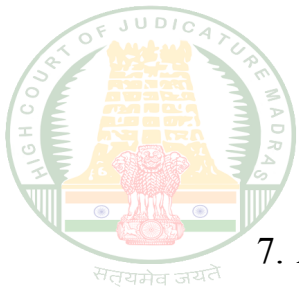
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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6.The relevant portion of the affidavit dated 02.04.2025 of the petitioner reads as follows:

“I hereby undertake that I will refrain from engaging in any conduct or behavior similar to the allegations raised above in the future. I further commit to upholding the decorum, ethics and discipline expected of an advocate. I deeply regret my previous actions and assure that I will not repeat such behavior in future.”

6. Considering the submissions made on either side; nature of allegation; that undertaking affidavit has been filed by the petitioner; that the the petitioner has no antecedents and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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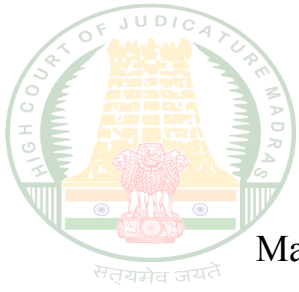
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the ***District Munsif cum Judicial Magistrate, Sholinganallur*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions that:

[a] the petitioner shall stay at Chennai and report before the B2 Esplanade Police Station, Chennai daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 is released on bail by the learned



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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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

02-04-2025

msv

To

1. The District Munsif cum Judicial Magistrate,
Sholinganallur
2. The Inspector of Police,
Chemmnanchery Police Station,
Chennai.
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

msv

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