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CrI. O.P. No.8879 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P. No.8879 of 2025

Sathish

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
Vadaponpara Police Station,
Kallakurichi District.
(Crime No.46 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in the event of his arrest or surrender in connection with the Crime No.46 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Gopalarishnan
For Respondent : Mr.S.Balaji
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 324(2), 351(3) of BNS and 4 of TNWH Act in Cr.No.46 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on account of prior enmity, the



petitioner along with other accused assaulted the defacto complainant and abused him in filthy language.

3. The learned counsel for the petitioner would submit that the petitioner also lodged a complaint against the defacto complainant and the same was registered in Crime No.47 of 2025 and in order to counter that, the present complaint has been lodged by the defacto complainant and that the injured has been discharged from the hospital and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and confirms that on the complaint given by the petitioner, a case has been registered and the case is investigated as case and counter by the respondent; that there are nine previous cases pending against the petitioner.

5. Considering that there is a counter case, injured has been discharged from the hospital, though the petitioner has previous cases, he is on bail in all those cases 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 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 is made ready, before the **learned Judicial Magistrate at Sankarapuram** 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 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 everyday 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

SUNDER MOHAN, J.



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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 BNS.

21.04.2025

Index : Yes / No

Internet : Yes / No

rkp

To

- 1.The Inspector of Police,
Vadaponpara Police Station,
Kallakurichi District.
- 2.The learned Judicial Magistrate at
Sankarapuram.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

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