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CRL O.P. No.9074 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.9074 of 2025

Ganeshmurugan M @ Murugesh

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.

... Respondent

[Cr. No.97 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Cr. No.97 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.S. Saravanan

For Respondent : Mr. S. Balaji,

Government Advocate

[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 74, 296(b), 118(1) and 351(3) of B.N.S. in connection with the case in Cr. No.97 of



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2025, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and the defacto complainant were in consensual relationship; that due to differences between them, the defacto complainant stopped talking with the petitioner; that on 20.03.2025, the petitioner waylaid the defacto complainant, attacked her using a stone, caused injury to her and pushed her and threatened her of dire consequences that if she severed the relationship. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent; that he has been falsely implicated in this case; that the allegations against the petitioner are false; and that custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to



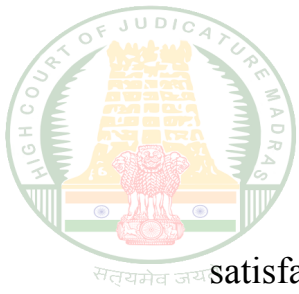
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the petitioner, reiterated the prosecution case and on instructions, submitted that the petitioner may be directed not to indulge in similar activities.

5. Considering the aforesaid facts, nature of allegations and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions. However, if the petitioner indulge in similar activities, the bail granted to the petitioner shall stand cancelled.

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, Kumarapalayam** 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



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satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

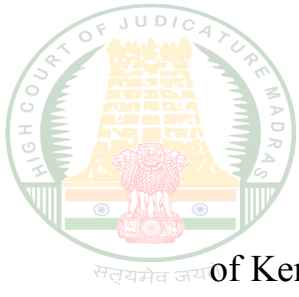
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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 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



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of Kerala [(2005)AIR SCW 5560]; and

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[f] If the accused thereafter abscond, a fresh FIR can be registered

under Section 269 B.N.S.

27.03.2025

mjs

To

- 1.The Judicial Magistrate, Kumarapalayam.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Komarapalayam Police Station, Namakkal District.

SUNDER MOHAN. J.,

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