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Crl.O.P.No.9580 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.9580 of 2025

M. Sukumar
S/o. Mani

....Petitioner/Accused-1

Vs

The State represented by
The Inspector of Police,
Thellar Police Station
Thiruvannamalai District.
Crime No.29 of 2025

....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.29 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. K.C. Karl Marx

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(3), 296(b), 76, 115(2) and 351(2) of BNS, 2023 and Section 4 of the Women Harassment Act, 2002, in Crime No.29 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner abused the *de facto* complainant in filthy language, attacked her and also threatened her of dire consequences when she questioned the petitioner who was trying to draw water from her well. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that there is a counter case lodged by the petitioner against the *de facto* complainant which was registered in Crime No.28 of 2025; and 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



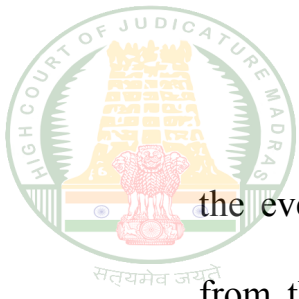
and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there is a counter case against the *de facto* complainant; that the petitioner has two previous cases out of which one has been referred and in another case, he is on bail; and that the investigation is pending, and opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, considering, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that there is a counter case; that the petitioner is on bail in the previous case, 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



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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, Vandavasi**, 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:

[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.



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[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.

01.04.2025

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To

1. The Judicial Magistrate, Vandavasi
2. The Inspector of Police,
Thellar Police Station
Thiruvannamalai District.
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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