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Crl.O.P.No.10093 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.10093 of 2025

D. Sarathi
S/o. Dhinakaran

....Petitioner/Accused-4

Vs

State represented by
The Inspector of Police,
Korrukupettai Railway Police Station,
Meenambal Nagar,
Korrukupettai, Chennai 600 021

....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 by the respondent police concerned in Crime
No.125 of 2023 on the file of the respondent police.

For Petitioner : Mr. R. Varadharajan

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



ORDER

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2. The case of the prosecution is that due to previous enmity between the two college students, the petitioner along with the other accused, who belong to a particular college, attacked the students of the other college travelling in a train and abused them in filthy language and caused damage to the train and nuisance to the general public. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that he was not involved in the said offence; that a co-accused has been granted anticipatory bail by this Court; and that the petitioner is ready to abide by any conditions that may be



imposed by this Court and sought for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no bad antecedents and that the investigation is pending.

5. Considering the fact that the petitioner has no bad antecedents; that the co-accused has been granted anticipatory bail and that the case is of the year 2023, 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 made ready, before **the learned Judicial Magistrate, Thiruvottiur, Chennai**, 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



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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 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].



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

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To

1. The Judicial Magistrate, Thiruvottiyur, Chennai.
2. The Inspector of Police,
Korrukkupettai Railway Police Station,
Meenambal Nagar,
Korrukkupettai, Chennai 600 021
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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