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Crl O.P.No.9889 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.04.2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP NO. 9889 of 2025**

Santhosh

Petitioner/A4

Vs

The State Rep by,  
The Inspector of Police,  
Kadathur Police Station,  
Dharmapuri District.  
(Crime No.32 of 2025)

Respondent

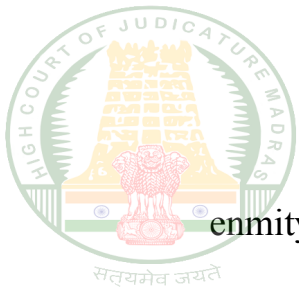
Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on anticipatory bail in the event of arrest in Crime No. 32 of 2025 pending on the file of the respondent police.

For petitioner : M/s.Camyles Gandhi W  
For Respondent : 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 162(2), 296(b), 115(2), 118(1) and 351(3) of the BNS @ Section 61(2) r/w Sections 126(2), 296(b), 115(2), 118(1), 109 and 351(3) of the BNS in Crime No.32 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on account of previous



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enmity and money dispute between the parties, the petitioner along with the other accused waylaid the de facto complainant, abused and assaulted him, viz., the petitioner/A4 attacked him with hands and the other accused attacked him with wooden log.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that he has been falsely implicated in this case; that the co-accused/A1,A3 & A5 were arrested and released on bail; that the petitioner has no bad antecedents and prayed 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 submitted that the injured has been discharged from the hospital and the petitioner has no bad antecedents.

5. Considering the aforesaid facts, the nature of the allegations, the fact that the injured was discharged from the hospital, the petitioner has no bad antecedents, the co-accused were arrested and released on bail



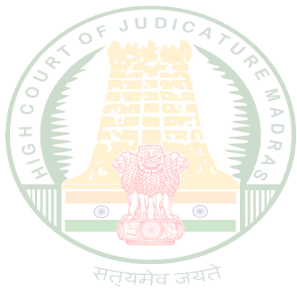
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and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 of receipt of a copy of this order, before the **Judicial Magistrate, Pappireddipatti** 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 said Magistrate, 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



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further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

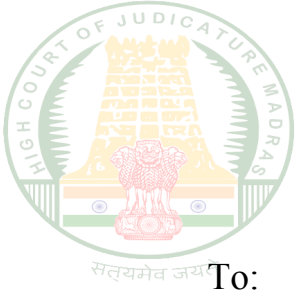
[d] the petitioner shall not abscond either during investigation or trial.

[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].

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

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**vca**

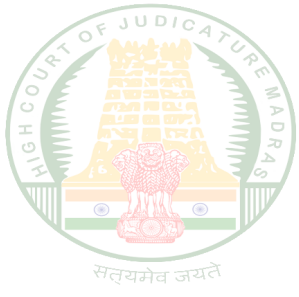


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To:  
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1. The Inspector of Police,  
Kadathur Police Station,  
Dharmapuri District.
2. The Judicial Magistrate, Pappireddipatti.
3. The Public Prosecutor,  
Madras High Court.

**SUNDER MOHAN, J.**



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