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Crl.O.P.No.10096 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.10096 of 2025

R. Sakthivel
S/o. Raja

....Petitioner/Accused-2

Vs

The State represented by
The Inspector of Police,
F-2, Egmore Police Station,
Chennai 600 008.
(Crime No. 216 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.216 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. Hemnath Veeraragavan

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 296(b), 115(2), 74 and 351(2) of BNS and Section 4 of the TNPHW Act, in Crime No.216 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 23.03.2025, the petitioner along with the first accused misbehaved with the *de facto* complainant in a pub at Radisson Blu Hotel, Egmore, Chennai, and when this was questioned by her friend, they attacked him and also abused the *de facto* complainant in filthy language, attacked her and threatened her of dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was not involved in the said offence; that he has been falsely implicated in the case 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 the petitioner has no bad antecedent; that the co-accused was arrested and released on bail; and that the investigation is pending.

5. Considering, the nature of allegations, the fact that the petitioner has no bad antecedents and that the co-accused was arrested and released on bail, 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 XVI Metropolitan Magistrate, George Town, 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 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:

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[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.

04.04.2025

bga

To

1. The XVI Metropolitan Magistrate, George Town, Chennai
2. The Inspector of Police,
F-2, Egmore Police Station,
Chennai 600 008.
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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