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Crl OP No.10022 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.10022 of 2025

Sai Saran

... Petitioner

Versus

The State Rep by,
The Inspector of Police,
F-5 Choolaimedu Police Station,
Chennai.
Crime No.86 of 2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of his arrest in Crime No.86 of 2025 on the file of the respondent police.

For petitioner : Mr.R.Vinoth

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 132, 351(3) of BNS in Crime No.86 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on 16.02.2025, at about 11.00 a.m, the police received secret information indicating that the accused abused people in public using filthy language and also threatened them with a knife; and that the respondent police arrested some of the accused. Hence, the case.

3. The learned counsel for the petitioner submits that the allegations are false; that the petitioner is sought to be implicated based on the confession of the co-accused and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the fact that the petitioner is sought to be implicated based on confession of co-accused and the petitioner has no bad antecedents, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation.



Therefore, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. 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 **XVII Metropolitan Magistrate, Saidapet**, on condition that the petitioner shall execute a separate 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 daily at 10.30 a.m., until further orders.



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[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.

04.04.2025

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To

1. The Inspector of Police,
F-5 Choolaimedu Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras, Chennai.

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