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Crl.O.P.No.10406 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.10406 of 2025

Manikandan
S/o. Raja

....Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
H-6, R.K. Nagar Police Station,
R.K. Nagar, Chennai 600 081
(Crime No.240 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 by the respondent police concerned in Crime No.240 of 2025 on the file of the respondent police.

For Petitioner : Mr. Vinodh Kumar

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



ORDER

WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS (294(b), 323, 506(ii) of IPC) and 4 of TNPHW Act, in Crime No.240 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that petitioner and the *de facto* complainant's daughter had a love affair; that on 24.03.2025, a wordy quarrel arose between the petitioner and the *de facto* complainant's daughter; that the petitioner abused the *de facto* complainant and her daughter in filthy language, assaulted them and threatened them of dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that the petitioner was not involved in the said offence and that without prejudice to his contentions, he will file an affidavit before the trial court stating that he would not disturb the *de facto* complainant or her daughter in future and prayed for anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for

the respondent police reiterated the prosecution case and submitted that the investigation is pending.

5. Considering, the aforesaid facts, the nature of allegations and the fact that the petitioner is willing to file an affidavit without prejudice to his defence before the trial Court stating that he would not disturb the *de facto* complainant or her daughter in future, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, 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 Metropolitan Magistrate No.XV, 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



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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.

[c] The petitioner shall file an affidavit as undertaken by him before the learned Magistrate.

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

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

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

08.04.2025

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To

1. The Metropolitan Magistrate No.XV, George Town, Chennai
2. The Inspector of Police,
H-6, R.K. Nagar Police Station,
R.K. Nagar, Chennai 600 081
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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