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Crl.O.P.No.10566 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.10566 of 2025

Boopathy
S/o. Narayanasamy

....Petitioner/Accused

Vs

State represented by
The Inspector of Police,
Gudiyatham Taluk Police Station
Vellore District
(Crime No.61 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.61 of 2025 on the file of the respondent police.

For Petitioner : Mr. T. Dhasarathan

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), 126(2) of BNS r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act 1998 (under Sections 294(b), 323 and 341 of IPC), in Crime No.61 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 25.03.2025, the petitioner and the co-accused, in an inebriated condition, without paying money demanded snacks from the shop of the *de facto* complainant and that when the same was denied by the *de facto* complainant, they abused her in filthy language. 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 furnish sufficient sureties and to abide by any conditions that may be imposed by this Court and sought 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 main accused against whom the overt act has been attributed has been arrested and that the victim had not suffered any injury.

5. Considering, the aforesaid facts, the fact that the main accused has been arrested, 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 Judicial Magistrate, Gudiyatham, Vellore District**, 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



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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.

[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.

08.04.2025

bga

To

1. The Judicial Magistrate, Gudiyatham, Vellore District.
2. The Inspector of Police,
Gudiyatham Taluk Police Station
Vellore District
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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