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Crl.O.P.No.11035 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.11035 of 2025

Masthan
S/o. Saleem

....Petitioner/Accused 1

Vs

The State represented by
The Inspector of Police,
Bagayam Police Station
Bagayam, Vellore District
(Crime No.65 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.65 of 2025**, on the file of the
respondent police.

For Petitioner	: Mr.G. Vinodh Kumar
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, 2023 (294(b), 324, 506(ii) of IPC), in Crime No.65 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.03.2025, during a wordy quarrel, the petitioner and the other accused attacked the victim with beer bottle and threatened him of dire consequences and that the victim sustained injuries and was admitted in the hospital. 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 offence and 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 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 there are previous cases against petitioner and that the injured has been discharged from the hospital.

5. Considering, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, that the previous cases against the petitioner are of the year 2015 and that the injured has been discharged from the hospital, 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 Judicial Magistrate No.I, Vellore**, 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:

[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



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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 abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

15.04.2025

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To

1. The Judicial Magistrate No.I, Vellore
2. The Inspector of Police,
Bagayam Police Station
Bagayam, Vellore District
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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