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CrI.O.P.No.10600 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10600 of 2025

Harish

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
Velampalayam Police Station,
Tiruppur District.
(Crime No.120 of 2025)

Respondent(s)

For Petitioner(s): Mr.W.Camyles Gandhi

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

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent in Crime No.120 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Section 308(4) of BNS, in Crime No.120 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the first and second accused threatened the defacto complainant and obtained Rs.5,000/-; that thereafter the petitioner called defacto complainant on the phone and stated that the defacto complainant has to pay some more money and threatened him of dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case and in any case, custodial interrogation of the petitioner is not required and sought for anticipatory bail.

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 there are previous cases against the petitioner, registered in the years 2018-2021 and he is on bail in those cases.

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 nature of allegations, the fact that the petitioner is



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on bail in the previous cases and since, custodial interrogation is not required

for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.III, Tiruppur**, 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 conditions 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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.

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To

1. The Inspector Of Police,
Velampalayam Police Station,
Tiruppur District.

2. The Public Prosecutor,
High Court, Madras.

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