



Crl.OP.No.10711 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10711 of 2025

S.Sudharasan

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Jafferkhanpet
Chennai 600 083.

(Crime No.90 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.90 of 2025 on the file of the respondent
Police.

For Petitioner : M/s.Mohanraj S

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

For Defacto
complainant : Mr.Rajesh

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 115(2) and 351(3) of BNS



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Act 2023 and Section 75 of Juvenile Justice Care and Protection of Children

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Act 2015 in Crime No.90 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the uncle of the victim; that the defacto complainant is the father of the victim; that due to family dispute, the petitioner attacked the victim girl and thus committed the aforesaid offences.

3. Since the dispute was between close relatives, this Court referred the matter to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras for settlement between the parties.

4. The learned counsel for the petitioner and the defacto complainant submitted that the parties have now arrived at a settlement; that the petitioner had also tendered his apology to the victim girl. However, the mediation report has not been sent to this Court.

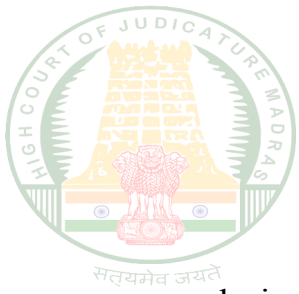


5. In view of the above, this Court is of the view that the custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 is made ready, before the **XXIII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 appear before the respondent police as and when required for interrogation.



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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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

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Index : Yes / No

Internet : Yes / No

dpa



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- To
- 1.The Inspector of Police,
R-6 Kumaran Nagar Police Station,
Jafferkhanpet
Chennai 600 083.
 2. The learned XXIII Metropolitan Magistrate,
Saidapet, Chennai
 - 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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