

Crl.O.P.No.11335 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11335 of 2025

Mohamed Riyas

Petitioner

Vs

The State represented by
The Inspector of Police,
Karamadai Police Station,
Coimbatore District.
(Cr.No.97 of 2025)

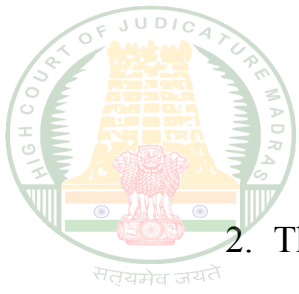
Respondent

For Petitioner: Mr.I.Periaswamy

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 281, 125(A) and 106(2) of BNS 2023, in Crime No.97 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner had driven his auto in a rash and negligent manner and dashed against the two wheeler ridden by the deceased and caused death of the defacto complainant's husband. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the allegations are false; that the operation of the offence under Section 106(2) of BNS, which is the non-bailable offence has been suspended by the Parliament; that the respondent ought not to have registered the FIR for the said offence and that the other offences are bailable.

4.The learned Government Advocate (Crl.Side) reiterated the prosecution case and confirms that except Section 106(2) of BNS all other offences are bailable.

5. Since the operation of Section 106(2) of BNS has been suspended by the Parliament and the other offences are bailable, the anticipatory bail petition may not maintainable. It is open to the petitioner to seek bail in accordance with law.



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6. With the above direction, this Criminal Original Petition is closed.

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To

1. The Inspector of Police,
Karamadai Police Station,
Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN J.



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