



Crl.OP.No.11448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 17.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11448 of 2025

Prakash

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
(Crime No.134 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 arrest in Crime No.134 of 2025 on the file of the respondent Police.

For Petitioner : M/s.M.P.Saravanan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



Crl.OP.No.11448 of 2025

police for the offences punishable under Section 127(2), 296(b), 115(2), 324(2), 351(2), 303(2) of BNS 2023 r/w Section 4 of TNPHW Act in Crime No.134 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused attacked the defacto complainant, abused her in filthy language.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the co-accused has been arrested and released on bail and that in any case, custodial interrogation of the petitioner is not required and sought for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioner.



WEB COPY

5. Considering the nature of allegations, the fact that the co-accused has been arrested and released on bail, 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 is made ready, before the **Judicial Magistrate No.I, Krishnagiri**, 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 report before the respondent police daily



Crl.OP.No.11448 of 2025

at 10.30 a.m., until further orders.

WEB COPY

[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.

17.04.2025

Index : Yes / No

Internet : Yes / No

dpa



Crl.OP.No.11448 of 2025

WEB COPY

- To
- 1.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
 - 2.The Judicial Magistrate No.I, Krishnagiri.
 - 3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN , J.



WEB COPY



Crl.OP.No.11448 of 2025

dpa

Crl.O.P.No.11448 of 2025

17.04.2025