



CRL OP NO. 12917 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP.NO. 12917 of 2025

Lokesh Gurunathan
S/o.Gurunathan, No. 218/ 1, Kappukara Street, Sankarapuram,
Pulliyampakkam, Kanchipuram 631605

Petitioner(s)

Vs

State Rep., By The Inspector Of Police
Walajabad Police Station, Kanchipuram District.

(Crime No.135/2025) .. Respondent(s)

PRAYER:Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No. 135 of 2025 on the file of the Respondent police.

For Petitioner(s): Muthupandi V

N.Mohana Priya

S.Kothandapani

For Respondent(s):Mr.L.Baskaran

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 281 and 125(a) of BNS and later altered into Sections 281 and 106(2) of BNS in Crime No.135 of 2025, seeks anticipatory bail.

2. This matter is listed today at the instance of the learned counsel for the petitioner.



3. The learned counsel appearing for the petitioner would submit that this case h
registered in Cr.No.135 of 2025 for the offence punishable under Sections 281 and

125(a) of BNS Act and later the same had been altered into Sections 281 and 106 (2) of
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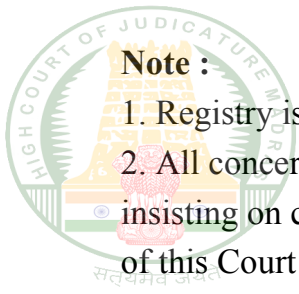
BNS Act. But in the order of this court dated 28.04.2025, it was recorded as that there
is no case or petition against the petitioner and the petition was closed.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted
that it is a road accident case and initially the case has been registered under Sections
281 and 125 (a) of BNS Act and now it is altered into Sections 281 and 106(2) of BNS
Act.

5. It is seen that Section 106(2) of BNS Act which is non-bailable offence has been
suspended by the Parliament and kept in abeyance. The alteration of the Section 125(a)
of BNS Act into Section 106(2) of BNS Act, is not proper and alteration ought to be
made under Section 106(1) which is a bailable offence.

6. In view of the above, this petition is not maintainable and hence the same is
dismissed.

12.06.2025



Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Judicial Magistrate-II, Kanchipuram.

2. The Inspector of Police
Walajabad Police Station
Kanchipuram District.

3. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR., J.

gv

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