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Crl.O.P. No.13972 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.06.2025**

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**THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR**

**Crl.O.P. No.13972 of 2025**

L. Santhosh

... Petitioner/ Accused No.1

Vs.

The State Rep. By,  
The Inspector of Police,  
Vellore Taluk Police Station,  
Nilgiris District.  
(Crime No.95 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.95 of 2025, on the file of the respondent police.

For Petitioner : Mr. K. Sathish Kumar

For Respondent : Mr. R. Vinothraja  
Government Advocate (Crl. Side)

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## **ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 308(5) and 351(3) of The Bharatiya Nyaya Sanhita (BNS) Act in Crime No.95 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a god idol decorator; that the petitioner had contacted the defacto complainant regarding god idol decoration and asked him to come to Nelvoy bus stop; that thereby the defacto complainant went to the spot, where he was taken in a two wheeler by the petitioner and other accused to an isolated place; that thereafter they abused and attacked the defacto complainant; and that they robbed a sum of Rs.33,000/- and took away defacto complainant's silver bracelet and ring. Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that due to previous enmity between the petitioner's friends and the defacto complainant regarding a flower decoration work, a wordy quarrel

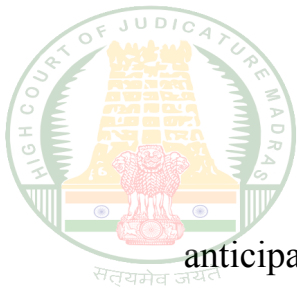


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arose between the petitioner's friends and the defacto complainant; that the petitioner is a student studying I year DMLT in Vellore Sri Sakthi Vocational Institute; that the co-accused were already granted anticipatory bail by this Court in Crl.O.P.No.15370 of 2025; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the role of this petitioner is that he had only picked the defacto complainant from the bus stand to the isolated place, where the defacto complainant was abused and assaulted; and that the investigation is pending, hence opposed the grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the co-accused were already granted anticipatory 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.

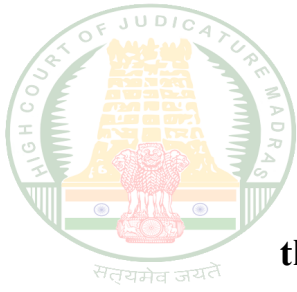
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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.I, Vellore, Vellore District** on condition that the petitioner shall execute a separate 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 condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stands automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] **the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks and**



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**thereafter, as and when required for the interrogation;**

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

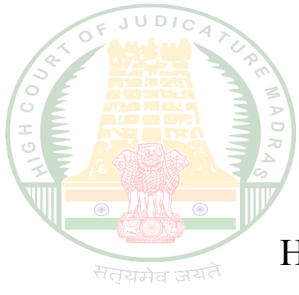
[g] the petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the

**M. NIRMAL KUMAR, J.**

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conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala

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[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

**11.06.2025**

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To

1. The Judicial Magistrate No.I,  
Vellore, Vellore District.
2. The Inspector of Police,  
Vellore Taluk Police Station,  
Nilgiris District. (Crime No.95 of 2025)
3. The Public Prosecutor, High Court of Madras.

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