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Crl.OP.No.19940 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.09.2025**

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THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

**CRL.O.P.No.19940 of 2025**

D.Dinesh Kumar

... Petitioner

-VS-

The State rep. by  
The Inspector of Police,  
B2 Vishnukanchi Police Station,  
Kancheepuram District 631 501.  
(Crime No.408 of 2024)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with FIR No.408 of 2024 on the file of respondent police.

For Petitioner : Mr.R.Elango  
for Mr.Vasantha Kumar

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

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## **ORDER**

The petitioner, who was arrested for the alleged offence under Sections 309(4) & 309(6) of BNS, 2023 in Crime No.408 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant is working as an housing keeping in a hotel on 29.10.2024 at about 9.45 PM the petitioner along with other accused has approached the defacto complainant's manager for booking rooms without valid proof for which the said manager insisted to produced the valid proof for booking rooms and hence the petitioner along with other accused stated that we being a local persons knowing the same insisting us to produce the valid proof for the same and hence the petitioner and other co-accused has assaulted the defacto complainant and the manager and also robbed the defacto complainant JIO mobile and hence the respondent police has registered case against this petitioner. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and



he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that this is the second anticipatory bail petition. The investigation almost completed and 7 previous cases pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non-refundable deposit to the credit of registered Advocates Clerks Association at Kancheepuram**, and on such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the



***learned Judicial Magistrate Court No.1 at Kancheepuram,*** and on further

conditions that:

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(a) 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 on every Tuesday at 10.30 a.m. for the period of three months.**

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid



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down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

**08.09.2025**

rna

**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.

**To**

- 1.The Judicial Magistrate Court No.1  
at Kancheepuram.
- 2.The Inspector of Police,  
B2 Vishnukanchi Police Station,  
Kancheepuram District 631 501.
- 3.The Public Prosecutor,  
High Court, Madras.

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**T.V.THAMILSELVI, J.**

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