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Crl.OP.No.14806 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.OP.No.14806 of 2025

K.Pachamuthu ... Petitioner(s) /Accused

Vs.

State rep. by
The Inspector of Police,
Magudanchavadi Police Station,
Salem District. ... Respondent(s)/ Complainant
Crime No.160 of 2025

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.160 of 2025 pending on the file of the respondent police.

For petitioner(s) : M/s.Law Vision

For Respondent(s) : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296 & 132 of BNS, 2023 in Crime No.160 of 2025 seeks anticipatory bail.



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2. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant and abused him in filthy language.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the defacto complainant has been treated as an out-patient.

5. Considering the nature of allegations, the fact that the injured has been treated as an out-patient, the petitioner has no bad antecedents 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, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory 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 Court No.2, Sankari Taluk, Salem District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[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, everyday at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

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

[d] the petitioner shall not tamper with evidence or witness either



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during investigation or trial;

WEB COPY [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 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 B.N.S.

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr/dpa

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**



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official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.

To

1. The Inspector of Police,
Magudanchavadi Police Station, Salem District.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. Judicial Magistrate Court No.2, Sankari Taluk, Salem District.



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L.VICTORIA GOWRI, J.

skr/dpa

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