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Crl.O.P.No.14597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

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**THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI**

Crl.O.P.No.14597 of 2025

Ashwin Kumar @ Ashwin

... Petitioner

Vs.

State Rep. by,  
The Inspector of Police,  
Periyanaickenpalayam Police Station,  
Coimbatore District.  
(Crime No.228 of 2021).

... Respondent

**PRAYER** : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent Police in Crime No.228 of 2021 on the file of the Respondent.

For Petitioner : Mr.Anbu Selvan

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

### **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 294(b), 307 of IPC, in Crime No.228 of 2021 on the file of the respondent police, seeks anticipatory bail.



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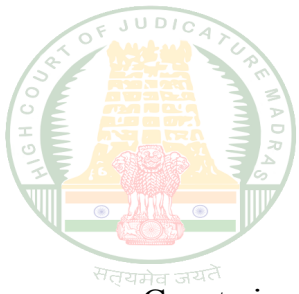
2. The case of the prosecution is that due to previous enmity, the accused had abused the de facto complainant and attempted to murder him, due to which, the de facto complainant sustained injuries and admitted in the hospital. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to previous enmity, a false complaint has been lodged against him. He also submitted that the petitioner is in no way connected with the alleged offence and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital, however, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the fact that the injured has been discharged from the hospital, this



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Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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.V, Coimbatore**, on condition that the petitioner shall execute a 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] 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 further interrogation;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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**L.VICTORIA GOWRI, J.**

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[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 of B.N.S.

**08.05.2025**

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**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 No.V, Coimbatore.
2. The Inspector of Police,  
Periyanaikenpalayam Police Station, Coimbatore District.
3. The Public Prosecutor,  
High Court of Madras.

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