



Crl.O.P.No.14631 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.05.2025**

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL.O.P.No.14631 of 2025

1. Santhosh Kumar
2. Lokesh

... Petitioners

Versus

The State rep by,
The Inspector of Police,
Arakkonam Town,
Arakkonam.
(Crime No.302 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent police pending investigation in Crime No.302 of 2025 on the file of the respondent police.

For Petitioners : Mr.Vijaya Sankar

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



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ORDER

The petitioners, apprehend arrest for the alleged offences under Sections 296(b), 115(2), 351(2) of BNS and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.302 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, petitioners abused the defacto complainant in filthy language and also attacked with hands. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that due to previous enmity, petitioners abused the defacto complainant in filthy language and also attacked with hands. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Taking into consideration the facts and circumstances of the case and also considering the submissions made on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the ***Judicial Magistrate No.1, Arakkonam*** on condition that the petitioners 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 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 petitioners 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;



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

[d] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.



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To

1. Judicial Magistrate No.I, Arakkonam.
2. The Inspector of Police,
Arakkonam Town,
Arakkonam.
3. The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI, J.

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