



Crl.O.P.No.14904 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14904 of 2025

Eswaran

... Petitioner

-VS-

State Rep by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
Crime No.224 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner / accused on bail
in the event of his arrest in connection with Crime No. 224 of 2025 on the file of
the respondent police.

For Petitioner : Mr.P.Kalimuthu

For Respondent : Mr.V.Meganathan,
Government Advocate (Crl.Side)



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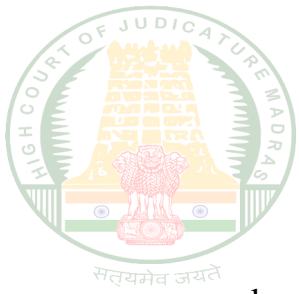
ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 126, 296(b), 118(1) and 351(2) of BNS, in Crime No.224 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 driver working for the Tamil Nadu State Transport Corporation. Due to previous enmity, on 04.05.2025 at about 10.15 a.m., when he was returning to work, the petitioner waylaid him, abused him in filthy language and also attacked him with a beer bottle causing injuries to him. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case. He further submitted that due to previous enmity, a false case has been foisted against the petitioner and he is ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the



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respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that due to previous enmity, the petitioner waylaid the defacto complainant, abused him with filthy language and also assaulted him with a beer bottle causing injuries to him. He further submitted that the petitioner was treated as in-patient and he was discharged from the hospital and that the petitioner has no previous antecedents.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Dharapuram, 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 said Magistrate, on further condition that:

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



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[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 daily at 10.30 a.m for a period of 30 days;

[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;

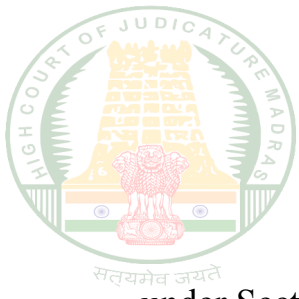
[e] the petitioner shall make himself available for interrogation by a Police office as and when required;

[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 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered



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under Section 269 of BNS.

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AT

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,
Dharapuram.

2. The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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