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Crl.O.P. No.15203 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.15203 of 2025

M. Gopi

... Petitioner/ Accused No.1

Vs.

The State Rep. By,
The Inspector of Police,
Gudalur Police Station,
Nilgiris District.
(Crime No.147 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.147 of 2025, on the file of the respondent police.

For Petitioner : Mr. S. Senthamizhan

For Respondent : Mr. R. Vinothraja
Government Advocate (Crl. Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 118(1), 249(c) of BNS 2023 in Crime No.147 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who is a remand prisoner has been manhandled by the petitioner and his subordinates, who are the officials of the Gudalur Sub Jail; that thereby, the defacto complainant sustained injuries. Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and had never committed any offence as alleged by the prosecution; that the petitioner is a Police Constable attached to the Gudalur Sub Jail and he has been falsely implicated in this case; that the co-accused were already granted anticipatory bail, vide order dated 08.05.2025 in Crl.M.P.Nos.348 to 350 of 2025 by the learned Sessions Judge, FTMC, Udthagamandalam; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and sought for



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anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that there are totally six accused in this case; that the petitioner herein has been arrayed as A1, who is an official of the Gudalur Sub Jail had alleged to have manhandled the remanded prisoner; that the petitioner and his subordinates have been suspended temporarily and they have been facing departmental proceedings; and that the investigation is pending, hence opposed the grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the co-accused were already granted anticipatory bail by the Sessions Judge, Udhagamandalam 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.

6. Accordingly, the petitioner is ordered to be released on bail in



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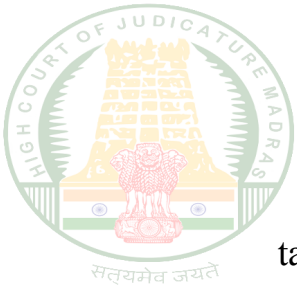
the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate Court, Gudalur** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two blood 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stands automatically cancelled;

[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 learned Judicial Magistrate, Gudalur everyday at 10:30 a.m., until further orders;**

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not



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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];

M. NIRMAL KUMAR, J.

stn



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11.06.2025

stn

To

1. The Judicial Magistrate,
Gudalur.
2. The Inspector of Police,
Gudalur Police Station,
Nilgiris District. (Crime No.147 of 2025)
3. The Public Prosecutor, High Court of Madras.

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