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CrI.OP.No.15238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.OP.No.15238 of 2025

Deepanraj

... Petitioner

Vs.

State rep. by
The Sub Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
(Crime No. 161 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to grant anticipatory bail to the petitioner in the event of the arrest of petitioner by police for the reasons stated in the petition, in connection with the case in Crime No.161 of 2025 on the file of the respondent police.

For petitioner : Mr.Anbharasu A

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126, 132 and 351(2) of BNS, 2023, in Crime No.161 of 2025, seeks anticipatory bail.



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2.The case of the prosecution is that the main accused in this case obstructed the defacto complainant while he was discharging his official duty and threatened him. It is further alleged that the main accused, by deploying an unknown person, forcibly drove away JCB loader from the scene of occurrence, which was used to excavate sand from the land. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

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, Cheyyar** 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 from uploading, this Order shall stand automatically cancelled;

[b] Petitioner to deposit a sum of Rs.10,000/- to the Bar/Advocate Association, Cheyyar and produce the proof, while executing surety.

[c] 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;



WEB COPY



Crl.OP.No.15238 of 2025

[d] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of 30 days and thereafter, as and when required;

[e] 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;

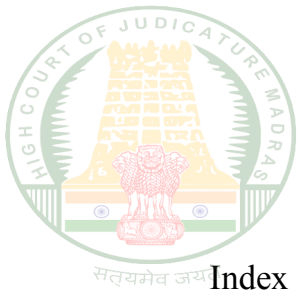
[f] the petitioner shall make himself available for interrogation by a Police office as and when required;

[g] 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;

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

[i] 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.



Crl.OP.No.15238 of 2025

15.05.2025

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

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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, Cheyyar

2.The Sub Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.

3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.

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Crl.OP.No.15238 of 2025

Crl.O.P.No.15238 of 2025

15.05.2025