



Crl.O.P.No.15301 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15301 of 2025

Ganesan @ Gatu Ganesan

... petitioner

Vs.

State rep. by

Inspector of Police

G-5, Secretariat Colony Police Station,

Chennai

Crime No.73 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in Crime No.73 of 2025 on the file of the Respondent police.

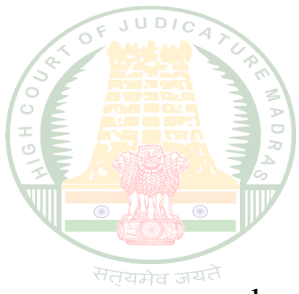
For petitioner : Mr.K.Muruganandham

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 126(2), 296(b), 311, 324(4), 125 and 351(3) of BNS in Crime No.73 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the co-



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accused, went to the shop of the defacto complainant, bought goods and refused to pay and also robbed a sum of Rs.1350/- from him at knife point. He also abused, assaulted with hands and threatened him with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that petitioner was detained under Act 14 on 25.05.2024 and the same was revoked. Hence, the above case has been registered against the petitioner. The defacto complainant is a vendor and hence this is a false case. The petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner along with two others has refused to pay money for the goods he purchased in the shop of the defacto complainant and also robbed Rs.1350/- and threatened him with dire consequences at knife point. He has also abused and assaulted the defacto



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complainant with hands and damaged the goods in the shop. A1 was arrested and now let out on bail. The petitioner has 15 previous cases and he is an history sheeter.

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

6 Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and also considering that the alleged occurrence took place on 20.03.2025 and it is almost three months the respondent police is unable to arrest the petitioner/A2 and the petitioner himself is ready to abide by any condition, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **II Metropolitan Magistrate, George Town, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for further interrogation;

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

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

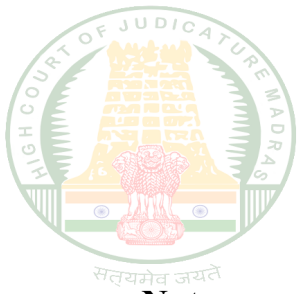
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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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 II Metropolitan Magistrate, George Town, Chennai,
- 2.The Inspector of Police
G-5, Secretariat Colony Police Station,
Chennai
3. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



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