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CrI.O.P.No.16062 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16062 of 2025

Justin @ Justin Raj

... Petitioner/A6

Vs

The State Rep. by its
The Inspector of Police,
Gingee Police Station,
Villupuram District.
(Crime No.219 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of arrest in Crime No.219 of 2025 on the file of the respondent
police station.

For petitioner : Mr.E.Sathiyaraj

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



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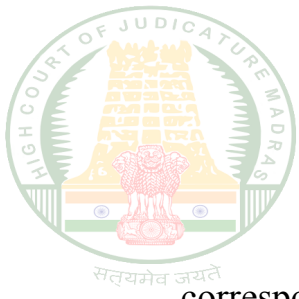
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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 329(4), 324(3), 296(b), 115(2), 118(1), 121(1) and 351(3) of BNS, 2023 (Corresponding Sections 147, 148, 448, 427, 294(b), 323, 324, 332 and 506 of IPC in Crime No.219 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused trespassed into the office room of the de-facto complainant and attacked with chair, thereby, the de-facto complainant sustained injury and admitted in the hospital. Hence, the case.

3.The contention of the petitioner is that the petitioner is a teacher in a school run by the Christian Machinery, namely, Punitha Micheal Higher Secondary School. There is some dispute between the de-facto complainant and the Management. The de-facto complainant claims himself to be a

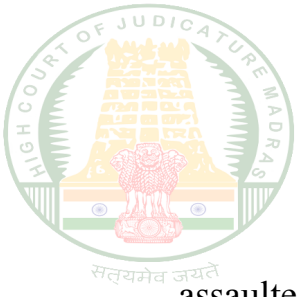


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correspondent. The petitioner has been in support of the Christian Machinery.

Hence, the petitioner has been falsely implicated in this case. The de-facto complainant earlier lodged a complaint against A1 and A2 in this case and a case in Crime No.185 of 2025 registered on 29.04.2025. The petitioner, on the date of occurrence, i.e., on 20.05.2025, was in his family shop and being a vacation period he had not entered into the de-facto complainant's office and attacked him. He further submitted that the co-accused/A2, A3 and A5 were arrested and let out on bail. Hence, he prays 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 de-facto complainant is the Head Master and Correspondent of Punitha Micheal Higher Secondary School. On the date of occurrence the petitioner along with the other accused, who are teachers, entered into the Head Master room,



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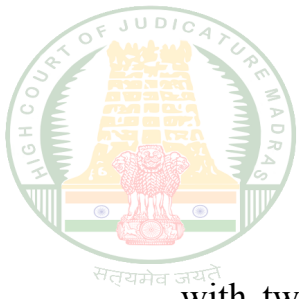
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assaulted the Head Master using the chair, thereby causing injury. The Head Master took treatment as out patient and got discharged. He further submitted that the co-accused/A2, A3 and A5 were granted bail on 28.05.2025.

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 counsels on either side and the fact that co-accused/A2, A3 and A5 were granted bail and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner 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, Gingee, Villupuram District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only),



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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;

[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 the 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 three weeks and thereafter, as and when required for interrogation;

[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;



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[e] the petitioner shall make himself available for interrogation by a Police officer 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 under Section 269 of BNS.

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To:

1.The Judicial Magistrate,
Gingee, Villupuram District.

2. The Inspector of Police,
Gingee Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

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