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CrI.O.P.No.15952 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

CORAM
THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI

CRL OP No. 15952 of 2025

MARIMUTHU

... Petitioner

VS

The State Represented by,
The Inspector of Police,
Vellore Taluk Police Station,
Vellore (Cr.no.97/2025)

... 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 in Crime No. 97 of 2025 pending
investigation on the file of the respondent police

For petitioner : Mr.Balaji T
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences under Section 354 (A) and 354 (D)
of IPC and Sections 75 and 78 of the BNS, r/w Section 4 of the TNPHW Act
in Crime No.97 of 2025, seeks anticipatory bail.



Crl.O.P.No.15952 of 2025

WEB COPY

2.The case of the prosecution is that the due to a civil dispute between the petitioner and the de facto complainant, there arose a a wordy quarrel between them. Hence the complaint.

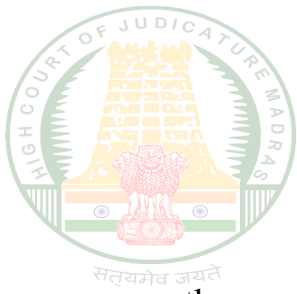
3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence and he has been falsely implicated in this case;that there is case in counter and custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Taking into consideration the submission of both sides, nature of the allegations, the fact that a civil dispute is pending between the parties, there is a counter case 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.

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



CrI.O.P.No.15952 of 2025

WEB COPY

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 learned Judicial Magistrate (Additional Mahila Court, Vellore)** on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two months and thereafter as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either



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CrI.O.P.No.15952 of 2025

during investigation or trial.

[e] 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].

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

GV

28.05.2025

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."



CrI.O.P.No.15952 of 2025

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To:

1. The learned Judicial Magistrate
(Additional Mahila Court, Vellore)
2. The Inspector of Police,
Vellore Taluk Police Station,
Vellore.
3. The Public Prosecutor,
High Court, Madras.



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K. GOVINDARAJAN THILAKAVADI.,J
gv

CRL OP No. 15952 of 2025

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