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Crl.OP.No.16234 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.16234 of 2025

Bharath

... Petitioner(s) /Accused No.1

Vs.

The State represented by,
The Inspector of Police,
Melmalayanur Police Station,
Villupuram.

... Respondent(s)/ Complainant

Crime No.8 of 2025

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.8 of 2025 on the file of the respondent police.

For petitioner(s) : Mr.M.Soundar Vijay Arulram

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.8 of 2025 seeks anticipatory bail.

2.It is the case of the prosecution that due to wordy quarrel with regard to money dispute, the petitioner along with the other accused abused the defacto complaint in filthy language, threatened him of dire consequences and assaulted him and caused injuries to him. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the injured has been discharged from the hospital. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and sought for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital. However, he opposed for the grant of anticipatory



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bail.

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

6.Considering the nature of allegations, the fact that the injured has been discharged from the hospital and since custodial interrogation of the petitioner is not required, 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 on which the order copy made ready, before the learned **Judicial Magistrate, Gingee**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] 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 daily at 10:30 A.M for a period of two months and thereafter, as and when required for interrogation;

[c] the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) directly to the victim.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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]***;



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[g] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.

28.05.2025

rkp/ata

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 official website of this court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Gingee
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. The Inspector of Police,
Melmalayanur Police Station, Villupuram.



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K. GOVINDARAJAN THILAKAVADI, J.
rkp/ata

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