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CrI.O.P.No.16616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16616 of 2025

Vijay

... Petitioner/accused-1

Vs.

The State Represented by
The Inspector of Police
Rajamangalam Police Station
Chennai District.
Crime No.197 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 his arrest in Crime No.197 of 2025 pending investigation on the
file of the respondent.



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For Petitioner : Mr.Saravana Pandiyan

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

ORDER

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 Act, in Crime No.197 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, who is none other than the petitioner's own brother, over the use of a drilling machine during a repair of an iron gate. Due to prior enmity in relation to a pending civil dispute, a verbal altercation ensued, which allegedly escalated into a physical confrontation. Hence, the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and he also submitted that the petitioner lodged a counter complaint in Crime No.196 of 2025 against the defacto complainant. Therefore, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there was a wordy quarrel between the petitioner and the defacto complainant and he further submitted that a counter complaint is filed by the petitioner against the defacto complainant and the injured has been discharged from the hospital. Therefore, he opposed for granting anticipatory bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned

Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made on either side and that the injured has been discharged from the hospital and it is a case in counter, 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 XIII Metropolitan Magistrate at Egmore**, 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



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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 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 identify proofs to ensure their identity;

[c] 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;



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[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;

[e] the petitioner shall make himself available for interrogation by a Police office 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



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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.

13.06.2025

dna

To:

1.The XIII Metropolitan Magistrate at Egmore.

2.The Inspector of Police
Rajamangalam Police Station
Chennai District.
Crime No.197 of 2025.

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

dna

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