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CRL OP No. 17829 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17829 of 2025

SIVAKUMAR

Petitioner

Vs

The State Rep. by the Inspector of Police,
Kundadam Police Station, Tiruppur District In Respondent
Cr. No.40/2025.

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S.,
pleaded to grant bail to anticipatory bail petition to the petitioner in event of
arrest in connection with Cr. NO. 40/2025 on the file of the respondent.

For Petitioner: Mr.J.William Christopher

For Respondent: M/s. R. Vinoth Raja Ga (crl.
Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 296(b), 191(3), 118(1), 109,



351(3) of BNS in Crime No.40 of 2025, on the file of the respondent police,
seeks anticipatory bail.

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2. The case of the prosecution is that, due to previous enmity, petitioner along with other accused waylaid the defacto complainant and abused in filthy language and also attacked him using deadly weapons, due to which, defacto complainant sustained injuries. Hence the case.

3. The learned counsel for the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation, hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the co-accused already arrested and released on bail. He further submitted that the injured has been discharged from the hospital.

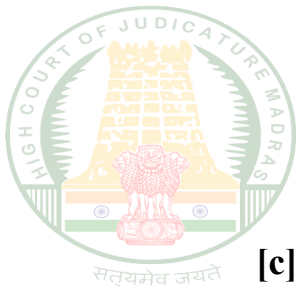


5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the submissions made on either side; nature of allegation; that the co-accused already arrested and released on bail 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 subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Tharapuram** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall stay at Chennai and report before the Inspector of Police, B2-Esplanade Police Station everyday at 10:30 a.m., until further orders;



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

[d] the petitioner shall not abscond either 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 BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1.The State Rep. by the Inspector of
Police,
Kundadam Police Station, Tiruppur
District In Cr. No.40/2025.

2.The Judicial Magistrate, Tharapuram.

3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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