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CRL OP No. 17193 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17193 of 2025

Azarudin @ Mohamed Azarudin

Petitioner

Vs

State Rep. by

Inspector of Police,

Tirupathur Town Police Station,

Tirupathur District.

Crime No.151 of 2025

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime.No.151/2025 pending investigation on the file of the respondent.

For Petitioner:

Mr.E.Kannadasan

For Respondent:

Mr.R.Vinothraja

Government Advocate (Crl.Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 74(3), 77 of Juvenile Justice Act r/w. 351(2), 123 of BNS 2023 in Crime No.151 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, a Sub-Inspector at Alangayam Town Police Station, lodged a complaint alleging that on 06.06.2025, the petitioner and others took a photo and video of two boys smoking cigarettes and circulated it on social media, which was brought to his notice through WhatsApp, leading to the filing of the complaint.

3. The learned counsel appearing for the petitioner submitted that the allegations are false and that in any case, custodial interrogation of the petitioner is not required and sought of anticipatory bail.

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 and submitted that A1 was arrested and he is still in judicial custody.

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5. Considering the nature of allegations 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.

6. 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 is made ready, before the learned **Judicial Magistrate No.I, Tirupathur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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:

[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.

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[b] 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.

[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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

17-06-2025

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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.State Rep. by
Inspector of Police, Tirupathur Town
Police Station, Tirupathur District.
Crime No.151/2025
- 2.The Judicial Magistrate No.I,
Tirupathur.
- 3.The Public Prosecutor, High Court of
Madras.



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M.NIRMAL KUMAR J.

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