



CrI.O.P.No.17446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17446 of 2025

Mohanraj

... Petitioner

Vs

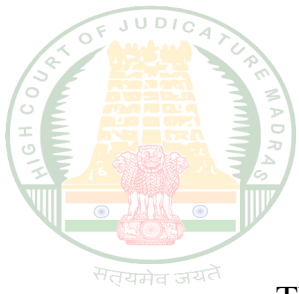
State by
Inspector of Police,
Ambur Taluk Police Station,
Thirupathur District.
(Crime No.Not Known of 2025).

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of his arrest by the respondent Police concerned in Crime No.Not
Known of 2025 on the file of Inspector of Police, Ambur Taluk Police
Station, Thirupathur District or on their appearance before the concerned
Court.

For Petitioner : Mr.S.Sasikumar

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side)



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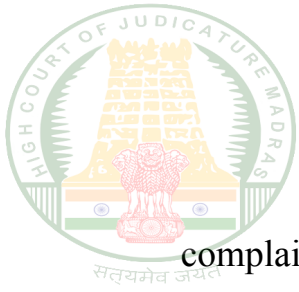
ORDER

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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 118(1), 316(2) & 351(3) of BNS in Crime No.148 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. Case of the prosecution is that on 13.01.2024 the defacto complainant's son handed over his car viz., Hyundai I20 (ASTA) bearing No.TN-23-CY-4899 to the petitioner, a car mechanic for repair work. When defacto complainant's son asked petitioner about stage of repair work, the petitioner informed that he sent the car for scrap after removing the engine. The defacto complainant and his relatives had gone to the petitioner's village and questioned him, at that time, the petitioner assaulted the defacto complainant with stone and threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. In fact the petitioner demanded Rs.1,50,000/- from defacto complainant to do repair work, but defacto complainant lodged a false



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complaint against the petitioner and also filed a petition before the Consumer Redressal Forum, Tirupathur in C.C.No.72 of 2025 seeking compensation of Rs.3,00,000/- from the petitioner. Hence, he prays for bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that eventhough the petitioner has received Rs.1,50,000/- from the defacto complainant to do repair work, the petitioner has neither completed the repair work nor returned the amount as well as car. Due to which, the defacto complainant has approached the Consumer Redressal Forum, Tirupathur and filed a petition seeking compensation from the petitioner. Hence, strongly opposed for bail.

5.Considering the submissions and on perusal of materials, it is seen that there is a dispute with regard to repairing of defacto complainant's car by petitioner. The contention of the petitioner is that defacto complainant's car could not be repaired and it is in the scrap stage, available in the shed. The petitioner does not seriously objected receipt of Rs.1,54,200/- as repair charges from the defacto complainant. The petitioner's objection seems to be that defacto complainant already filed a petition before the Consumer



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Redressal Forum, Tirupathur in C.C.No.72 of 20225 wherein he sought compensation of Rs.3,00,000/- from the petitioner.

6.In view of the above, 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Ambur 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, 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 the identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] The petitioner shall deposit a sum of Rs.1,50,000/- (Rupees one



lakh and fifty thousand only) to the credit of Crime No.148 of 2025 before the learned Judicial Magistrate, Ambur within a period of four weeks from the date of receipt of copy of this order. The petitioner has got no objection for the defacto complainant to withdraw the amount of Rs.1,50,000/-. This amount is to be given proper credit to the dispute between petitioner and defacto complainant either in the present case or to be considered in the Consumer Redressal Forum, Tirupathur. It is made clear that the four weeks time is only an outer limit and no extension of time will be entertained. In the event of failure of payment, this order would automatically cancelled.

[e] 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;

[f] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[g] 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;

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

[i] 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 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];



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M.NIRMAL KUMAR, J.

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[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

08.07.2025

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To

- 1.The Judicial Magistrate,
Ambur.
- 2.The Inspector of Police,
Ambur Taluk Police Station,
Thirupathur District.
- 3.The Public Prosecutor,
Madras High Court.

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