



Crl.O.P.No.17633 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17633 of 2025

Lakki @ Pozhilan

... Petitioner/A1

Vs

State represented by
The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai.
(Crime No.309 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on
Anticipatory Bail in the event of arrest in connection with the Crime No.309
of 2025 pending investigation on the file of the respondent police.

For petitioner : Mr.A.Ramesh

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 Section 296(b), 118(1) and 351(3) of



CrI.O.P.No.17633 of 2025

BNS, 2023 in Crime No.309 of 2025, on the file of the respondent police,
seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant borrowed money from the father of the petitioner and not repaid the same. When the same was questioned by the petitioner, the de-facto complainant assured that he will repay the amount partly. On the date of occurrence, the petitioner along with other accused came near his office and assaulted the de-facto complainant with hand and helmet. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused/A2 and A3 were arrested and released on bail. Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that in this case totally there are three accused, the petitioner is ranked as A1. He further



Crl.O.P.No.17633 of 2025

submitted that the co-accused/A2 and A3 were arrested and released on bail.

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5. At this juncture, the learned counsel for the petitioner voluntarily submitted that the petitioner, in order to show his bonafide, is ready and willing to deposit a sum of Rs.1,00,000/- to the credit of the Crime No.309 of 2025 without prejudice to his right of defence in the above case.

6. Considering the nature of allegations and and the submission that the petitioner is willing to deposit an amount of Rs.1,00,000/- to the credit of Crime No.309 of 2025, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.1,00,000/- [Rupees One lakh only]** to the credit of Crime No.309 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on anticipatory bail on his executing 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 learned **Judicial Magistrate No.I, Poonamallee**, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:



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[a] 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;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for 30 days, thereafter as and when required;

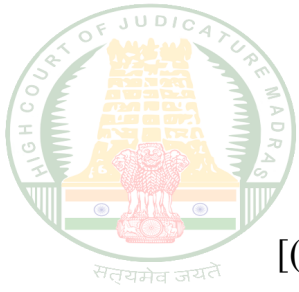
[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

[e] 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;

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

[g] 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



CrI.O.P.No.17633 of 2025

[(2005)AIR SCW 5560];

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

27.06.2025

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To:

1.The Judicial Magistrate No.I,
Poonamallee.

2.The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai.

3.The Public Prosecutor,
High Court Madras.



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Crl.O.P.No.17633 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.17633 of 2025

27.06.2025