



Crl.O.P.No.18970 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18970 of 2025

Kanimozhi

.. Petitioner/A3

Vs.

The State Rep by,
The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District.
(Crime No.184 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.184 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Sugumar

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



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ORDER

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2. The case of the prosecution is that the petitioner and the de facto complainant are neighbours having a civil dispute between them. On the date of occurrence, the petitioner came to the disputed property, which had been questioned by the de facto complainant, and a wordy quarrel arose. Due to previous enmity, the petitioner and other accused/A1 and A2 poured petrol on his house and set it on fire while the de facto complainant inside the house, attempting to retrieve materials and rescue his wife. Rs.30,000/- cash was burned, and three two-wheelers worth of Rs1,05,000/- were damaged. Hence, the case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent, has not committed any offence, as alleged by the prosecution and has been falsely implicated in this case. He would further



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submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution case.

5. Having 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, 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 made ready, before **the learned District Munsif and Judicial Magistrate, Cheyyur**, 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



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the respondent police or 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 is directed to deposit a sum of Rs.30,000/- [Rupees Thirty Thousand Only] to the credit of Crime No.184 of 2025 within a period of two weeks, and on such deposit, the Trial Court is directed to re-deposit the same in the interest bearing account.

[d] the petitioner shall report before the respondent Police for a period of two weeks and thereafter, as and when required for further interrogation;

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



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[f] the petitioner shall make himself available for

interrogation by a Police office 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 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];

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

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M.NIRMAL KUMAR, J.

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To

- 1.The Distirct Munsif and Judicial Magistrate, Cheyyur.
- 2.The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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