



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19159 of 2025

Christy @ Christu Raj Franklin

.. Petitioner/A2

Vs.

The State Rep by,
Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District.
(Crime No.65 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.65 of 2025 on the file of the Thirupalaivanam Police Station, Thiruvallur District.

For Petitioner : M/s.S.Raj Magimai

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



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNSS in Crime No.65 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a fisherman and on 12.05.2025, due to dispute with the defacto complainant and his group with regard to the fishing rights, both group attacked each other and sustained injuries. Hence, the case.

3. Learned counsel appearing for the petitioners submits that based on the complaint lodged by the petitioner, there is a counter case registered in Crime No.66 of 2025 against the defacto complainant and others for the offences under Sections 294(b), 323 & 506(ii) of IPC. He further submitted that the co-accused were granted anticipatory bail by this Court. He also submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory



bail to the petitioner.

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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. 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.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate-II, Ponneri** 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 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 shall report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[d] 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;

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



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[f] 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;

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

[h] 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];

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

18.07.2025

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Crl.O.P.No.19159 of 2



M.NIRMAL KUMAR, J.

cda/sma

To

- 1.The Judicial Magistrate-II, Ponneri.
- 2.The Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District..
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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