



CrI.O.P.No.19591 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19591 of 2025

Ponnusamy

.. Petitioner/Sole Accused

Vs.

The State Rep by,
The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam-Post & Taluk,
Erode District.
(Crime No.315 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 pending investigation in Crime No.315 of 2025 on the file of the respondent.

For Petitioner : Mr.D.Veerasekaran

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



Crl.O.P.No.19591 of 2025

ORDER

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 351(3), 303 of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.315 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has given a complaint against the defacto complainant alleging that she has encroached upon a portion of the Government land. The petitioner abused the defacto complainant with filthy language, threatened to set fire to her house, and also attacked her. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Based on the complaint lodged by the petitioner, there is a counter case registered by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.19591 of 2025

WEB COPY

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 Judicial Magistrate, Sathyamangalam, Erode District** 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 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;

[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;



WEB COPY



CrI.O.P.No.19591 of 2025

[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.

cda

29.07.2025



WEB COPY



CrI.O.P.No.19591 of 2025

M.NIRMAL KUMAR, J.

cda

To

- 1.The Judicial Magistrate, Sathyamangalam, Erode District.
- 2.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam-Post & Taluk,
Erode District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

CrI.O.P.No.19591 of 2025

29.07.2025