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Crl.O.P.No.20234 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20234 of 2025

P.Naveen Kumar

.. Petitioner/A6

Vs.

The State Rep by,
The Inspector of Police,
Ethappur Police Station,
Salem District.
(Crime No.273 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant Anticipatory Bail in the event of
his arrest by the respondent police in Crime No.273 of 2025.

For Petitioner : Mr.A.Ramesh

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



ORDER

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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), 140(1), 127, 115(1), 118(1), 109(1), 115(1) of BNS and Section 4 of TNPHW Act, subsequently altered to Section 191(2), 191(3), 296(4), 140(1), 127, 115(1), 118(1), 109(1), 270, 351(3) of BNS and Section 4 of TNPHW in Crime No.273 of 2025, seeks anticipatory bail.

2. The contention of the learned counsel for the petitioner is that, due to previous enmity, the petitioner and other accused persons are said to have assaulted the defacto complainant. He further submits that the petitioner is an innocent person and not committed any offence as alleged in the FIR. Further, he submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the



respondent Police while opposing the grant of anticipatory bail to the petitioner reiterated the prosecution case.

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4. 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.

5. 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-I, Attur**, 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



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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;

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

[h] On breach of any of the aforesaid conditions, the



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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.

29.07.2025

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To

- 1.The Judicial Magistrate-I, Attur.
- 2.The Inspector of Police,
Ethappur Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.



WEB COPY

Crl.O.P.No.20234 of 2



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