



CrI.O.P.No.20349 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20349 of 2025

M.Siva

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai.

Crime No.261 of 2025

... Respondent

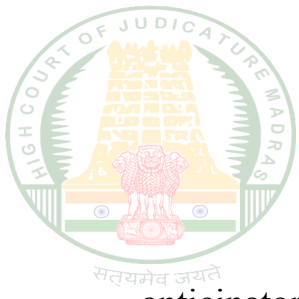
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest in connection with Crime No.261 of 2025 on the file of respondent Police.

For Petitioner : Mr.C.Gunasekaran for
M/s.Neela Narayani

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police
for the offences punishable under Section **296 (b), 62, 108 and 351 (2) of BNS,**
2023, in Crime No.261 of 2025, on the file of the respondent Police, seeks



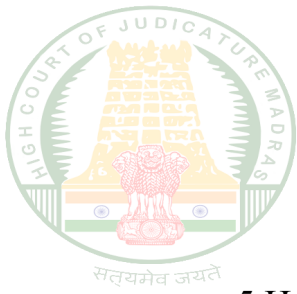
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anticipatory bail.

2.The case of the prosecution is that, the defacto-complainant's husband availed loan from M/s.Fivestar Business Finance for a sum of Rs.3,00,000/- and in that the defacto-complainant's husband has committed default in paying the monthly installments. The petitioner along with other accused came to the defacto-complainant's house and abused her in filthy language. Due to which, she consumed rat poison and admitted to hospital. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person 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. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that defacto-complainant has been discharged from hospital. However, opposed for grant of anticipatory bail to the petitioner.



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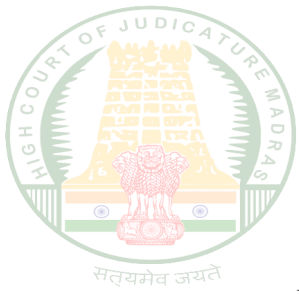
5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides, the fact that defacto-complainant has been discharged from hospital and since, custodial interrogation of the petitioner is not required, 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 **Judicial Magistrate Court, Polur**, 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, 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 Surety ship [Judicial



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Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[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;

[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] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;



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

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To

- 1.The Judicial Magistrate Court,
Polur.
- 2.The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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