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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09-09-2025**

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21335 of 2025

Mohan

...Petitioner(s)

Vs

State, Rep by

The Inspector of Police, Kumaratchi Police Station, Kumaratchi, Cuddalore District.

Crime No.Not Known of 2025

...Respondent(s)

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.not known of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.A.Gowtham

For Respondent(s): Mr.S.Udayakumar,
Government Advocate (Crl.Side)



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ORDER

The petitioner who apprehends arrest for the alleged offences under Sections 296(b), 115 (2), 118(1), 109 and 351(2) of BNS, 2023 and Section 4 of TNPWH Act, in Crime No. not known of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the accused are relatives. Due to family dispute between them, a case has been registered.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case. The petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner who is the senior citizen and the accused are relatives. Due to quarrel, the accused attacked the defacto complainant and sustained injuries in the forehead. A case has been registered in Crime No.90 of 2025 against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.



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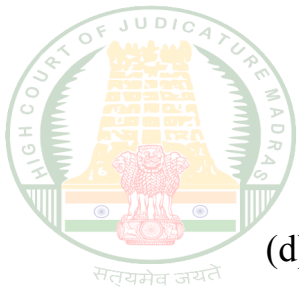
5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Chidambaram, 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 further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar Card or Bank pass Book to ensure their identity;

(b)The petitioner shall report before the respondent police as and when required for further interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(d)the petitioner shall not abscond either during investigation or trial;

(e)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 anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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1.The Judicial Magistrate No.II, Chidambaram,

2.The Inspector of Police,
Kumaratchi Police Station, Kumaratchi,
Cuddalore District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

Note:

Registry is directed to forthwith upload this order in the Official Website of this Court.

2.All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the Official Website of this Court will be watermarked and will also have a QR Code.



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T.V.THAMILSELVI, J.

mps

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