



Crl.O.P.No.22038 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.22038 of 2025

Mohan @ Mohanbabu

... Petitioner/A1

Vs

The State rep by
The Inspector of Police,
B-1, Dharmapuri Police Station
Dharmapuri District.
(Crime No.376 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.376 of 2025 on the file of the respondent police.

For petitioner : Mr.Vivek, A.

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 118(1) and 351(3) of BNS, 2023 in Crime No.376 of 2025, on the file of the respondent police, seeks anticipatory bail.



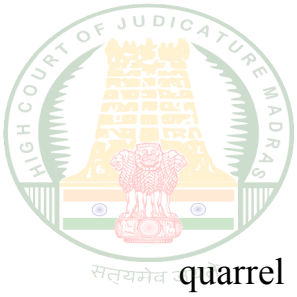
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2.The case of the prosecution is that there was previous enmity between the petitioner and the de-facto complainant. On the date of occurrence, a wordy quarrel arose between them and the petitioner along with another accused assaulted the de-facto complainant with iron rod, thereby the de-facto complainant sustained injury and admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. There was previous enmity between A2 and the de-facto complainant. The petitioner tried to compromise the same, for which, he has been falsely implicated in this case. He further submitted that the co-accused/A2 has been granted anticipatory bail by this Court. He further submitted that the injured has been discharged from the hospital. Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there was previous enmity between the accused and the de-facto complainant. On the date of occurrence, a wordy



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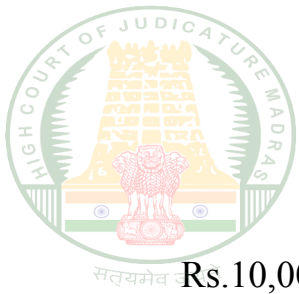
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quarrel arose between them and the petitioner along with another accused assaulted the de-facto complainant with iron rod, thereby the de-facto complainant sustained injury, admitted in the hospital and treated as inpatient. He further submitted that the co-accused/A2 has been granted anticipatory bail by this Court. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case and the fact that injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is directed to **deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.376 of 2025** and on such deposit and production of proof, the petitioner is ordered to be released on anticipatory bail on his executing a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Dharmapuri, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

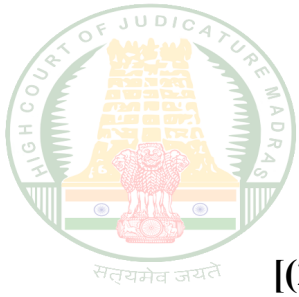
[b] the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. for a period of eight weeks;

[c]the victim/injured is permitted to withdraw the amount deposited by the petitioner in Crime No.376 of 2025, towards the injury caused to him.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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**



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[(2005)AIR SCW 5560];

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

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To

- 1.The Judicial Magistrate No.I,
Dharmapuri.
- 2.The Inspector of Police,
B-1, Dharmapuri Police Station
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.
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