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Crl.OP.No.23672of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23672 of 2025

M.Ezhilarasan

... Petitioner

Vs.

State rep.by its
Sub Inspector of Police,
RK Pet Police Station,
RK Pet Taluk, Tiruvallur District.
(Cr.No.249 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Cr.No.249 of 2025 dated 27.07.2025 on the file of the respondent police.

For Petitioner : Mr.K.Venkatesan

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b) 118(1) of BNS,2023 r/w Section 4 of TN Prohibition of Harassment of Women Act,



2002 in Crime No.249 of 2025, on the file of the respondent Police, seeks anticipatory bail.

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2. The case and the case in counter by the neighbours regarding physical fight occurred between them in respect of the property dispute. It is now under investigation by the respondent police in Cr.Nos.249 of 2025 and 251 of 2025 dated 27.07.2025 and 28.07.2025 respectively.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. 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 bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured on both sides are discharged from the hospital and investigation is pending with regard to the identification of the aggressor. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case and since



custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of ten days (10) from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate-Cum-District Munsif, Pallipet*** 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 concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial 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;



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[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] 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]**;

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

26.08.2025

Vv

To

1.The Judicial Magistrate-Cum-District Munsif,
Pallipet.

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2. The Sub Inspector of Police,
RK Pet Police Station,
RK Pet Taluk, Tiruvallur District.

3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

Vv



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