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Crl.OP.No.25686 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25686 of 2025

Joseph Gunaprakash

... Petitioner / A1

Vs.

State rep by
The Inspector of Police,
S-14, Peerkankaranai Police Station,
New Perungalathur,
Chennai – 600 063.
(Cr.No.483 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.483 of 2025 on the file respondent police.

For Petitioners : Ms.Balamuki

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

ORDER

Apprehending arrest, this petition has been filed by the petitioner for the offence punishable under Sections 115(2), 191(2), 120(2), 296(b),



318(3), 351(3) of BNS in Crime No. not known of 2025 on the file of the respondent police.

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2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) for the respondent submitted that an FIR has been registered against the petitioner in Crime No.483 of 2025 for the offence punishable under Sections 191(2), 115(2), 296(b), 351(2) of BNS.

3. The case of the prosecution is that the defacto complainant assisted the petitioner in finding a suitable premise for setting up the gym, for which the defacto complainant demanded commission for his assistance. The petitioner refused to pay the commission. As a result, there was a wordy quarrel between the petitioner and defacto complainant, which quarrel escalated into violence and leads to registration of FIR.

4. The learned counsel appearing for the petitioner would submit that the de facto complainant has sustained only simple injuries and discharged from the hospital. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the defacto complainant has been discharged from the hospital. He further



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submitted that a counter complaint has been given by the petitioner against the defacto complainant. However, he opposed to grant anticipatory bail to the petitioner.

6. Considering the representation made by both side learned counsels and also considering the fact that the injured had been discharged from the hospital, no previous case pending against the petitioner, there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioner.

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 learned ***Judicial Magistrate – I, Tambaram***, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this order shall stand automatically cancelled;



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CrI.OP.No.25686 of 2025

[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;

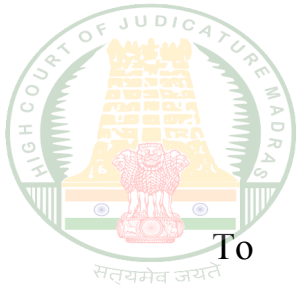
[c] the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of one week and thereafter, as when required for the interrogation;

[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.

18.09.2025

smv



To

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1. The The Inspector of Police,
S-14, Peerankaranai Police Station,
New Perungalathur,
Chennai – 600 063.
2. Judicial Magistrate – I, Tambaram.
3. The Public Prosecutor,
High Court of Madras.



CrI.OP.No.25686 of 2022



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MR.K.RAJASEKAR, J.

smv

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