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Crl.O.P.No.3158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3158 of 2025

Vallavarayan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thazhambur Police Station,
Kancheepuram District.
(Crime No.196 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.196 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Varun Pandian

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 394 of IPC in Crime No.196 of 2024, on the file of the respondent police, seeks anticipatory bail.



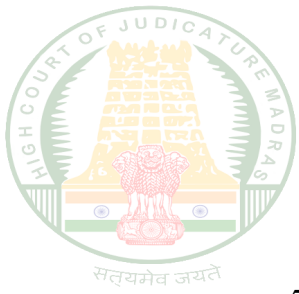
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2. The case of the prosecution is that on 15.05.2024 at about 10.30.a.m. the petitioner along with other accused trespassed into the defacto complainant's shop in an inebriated condition and demanded money by showing knife and also attacked him. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner was earlier granted anticipatory bail by this Court on 23.05.2024 and since the conditions were not complied, the anticipatory bail got lapsed; that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and confirmed the fact that the petitioner was earlier granted bail by this Court and the same got lapsed since the petitioner did not comply the conditions. He further submitted that the petitioner has no previous cases.



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5.Considering the nature of the allegation; the fact that the petitioner was earlier granted anticipatory bail, the fact that the petitioner has no bad antecedents, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner shall pay **Rs.20,000/- [Rupees Twenty Thousand Only]** as donation to a Non-Governmental Organisation viz., **Akshaya Trust**, having office at No.99, Royapettah High Road, Rangaiah Garden, Mylapore, Chennai – 600 004 [Mobile No.92449 13690] thereafter, on production of payment of donation issued by the person in-charge of the said Trust, 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, Thiruporur**, on condition that the petitioner shall execute a separate 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:



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[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 daily at 10.30.a.m., until further orders.

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

[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 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].

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

01.04.2025

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To

1. Judicial Magistrate, Thiruporur.
2. The Inspector of Police,
Thazhambur Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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