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Crl.OP.No.25726of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25726 of 2025

Ezhilarasan

... Petitioner

Vs.

State rep by
The Inspector of Police,
Vyasarpadi Police Station,
Chennai District.
(Cr.No.308 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of his arrest, pending investigation in Crime No.308 of 2025 on the file of the Inspector of Police, Vyasarpadi Police Station, Chennai District.

For Petitioner : Mr.C.Arivazhagan

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



ORDER

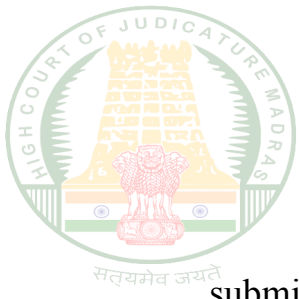
The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 118(1), 115(2), and 351(3) of BNS 2023 in Cr.No.615 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that when the defacto complainant was returning from a wine shop, he intercepted the petitioner and enquired about his brother's whereabouts. At that time, the petitioner, along with his brother, abused and attacked the defacto complainant with stones, threatened to kill him, and caused injuries. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that this petitioner is an innocent person, he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and reported that the injured had sustained simple injury and there is no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the facts and circumstances of the case and the submissions made by both counsels, and taking note of the fact that the injured had sustained simple injury, that there is no previous case against the petitioner, and that custodial interrogation of the petitioner is not required, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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 (15) days from the date on which the order copy made, before the learned **X Metropolitan Magistrate, Egmore** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two **sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(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 identify proofs to ensure their identity;

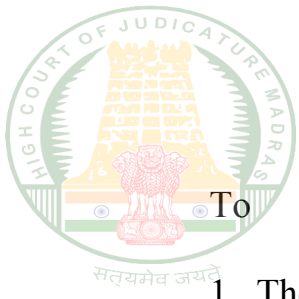
(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv



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To
1. The X Metropolitan Magistrate Court,
Egmore.

2. The Inspector of Police,
Vyasarpadi Police Station,
Chennai District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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