



WEB COPY

CRL OP NO. 26363 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL OP NO. 26363 of 2025**

V.Mohan

...Petitioner

Vs

State Rep by its,  
The Inspector of Police,  
Pennalurpettai Police Station  
Tiruvallur District, Chennai  
Crime No. Not Known of 2025.

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioners in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. Not Known of 2025 on the file of the respondent police.

**For Petitioner(s):** Ms.G.Samundeeswari

**For Respondent(s):** Mr.S.Udayakumar

Government Advocate [Criminal Side]

### **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1), 118(1), 127(2), 351(3) of BNS, 2023 r/w Section 4 of TNPHW Act, in Crime No. Not Known of 2025, on the file of the respondent Police, seeks anticipatory bail.



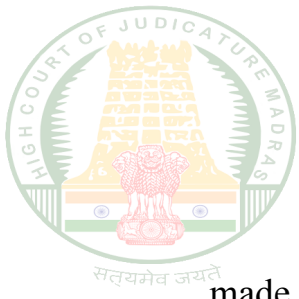
WEB COPY

2. The allegation against the petitioner is that the petitioner along with other accused persons used filthy language and assaulted the de-facto complainant due to property dispute and threatened the de-facto complainant with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that there is no previous case pending against the petitioner herein. However, he opposed for grant of anticipatory bail to the petitioner.

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



WEB COPY

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side and the matrimonial dispute arose only between the 1<sup>st</sup> petitioner and the de-facto complainant and the petitioner is the brother-in-law of the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioner with 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 days from the date on which the order copy made ready, before the learned **District Munsif Cum Judicial Magistrate Court, Uthukkottai**, on condition that the petitioners 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 of the learned Magistrate concerned and on further condition that:

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



WEB COPY



CRL OP NO. 26363 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;

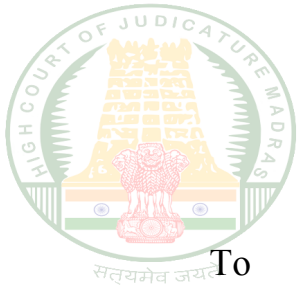
**[c] the petitioner shall report before the respondent Police daily at 10.30 a.m three weeks and thereafter, as and when required for interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

**24.09.2025**

MSM



CRL OP NO. 26363 of 2025

To

WEB COPY

1. The District Munsif Cum Judicial Magistrate Court,  
Uthukkottai.

2. The Inspector of Police,  
Pennalurpettai Police Station  
Tiruvallur District, Chennai  
Crime No. Not Known of 2025.

3. The Public Prosecutor, High Court of Madras.



WEB COPY



CRL OP NO. 26363 of 2025

**K.RAJASEKAR, J.**

MSM

**CRL OP NO. 26363 of 2025**

24.09.2025