



WEB COPY



Crl.O.P.No.32247 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.32247 of 2024

Sakthi @ Dhanushselvam

... Petitioner

Vs

The State rep by its
The Inspector of Police,
Palur Police Station,
Chengalpattu District.
Crime No.188 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police pending investigation in Crime No.188 of 2024 on the file of the respondent police.

For Petitioner : Mr.Anbu Selvan
For Respondent : Mr.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.188 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 351(2), 109 of BNS, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court.

He further submits that the petitioner is innocent and a false case has been foisted against him. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner and others attacked the defacto complainant with knife and iron road and causing grievous injuries. He further submitted that the injured has been discharged from the hospital and that there is no previous case pending against the petitioner.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to



the petitioner with certain conditions and 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 of receipt of a copy of this order, before the learned **Judicial Magistrate,-01, Chengalpattu District**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[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



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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 BNS.

02.01.2025

Index : Yes/No
Internet : Yes/No

rts



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To

1. The Inspector of Police,
Palur Police Station,
Chengalpattu District.
2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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