



CRL OP NO.31722 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.01.2025**

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.31722 of 2024

Mr.P.Gokul,
S/o. Pushpalingam,
No.13/5,Kalaingar Karunanidhi Street,
Natham, Chengalpattu,
Kancheepuram District,
Tamil Nadu – 603 002.

Petitioner(s)

Vs.

The State Rep. By,
THE SUB INSPECTOR OF POLICE,
D-1 Chengalpattu Town Police Station,
Chengalpattu.
(Crime No.778/2024)

Respondent(s)

For Petitioner(s):

R.SHRIHARN

P.Sandhosh, K.Selvamani, N.Guber,
M.Naveen, M.Mathanamathav

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 351(3) of the Bharatiya Nyaya Sanhita (BNS) ,2023 r/w Section 25(1A) of Arms Act ,1959, in on the file of the respondent police, seeks anticipatory bail.



10.12.2024, the accused persons were found standing with a knife and shouting at each other and also causing disturbance to the public. When it was questioned by the respondent, and the petitioner and the accused persons has allegedly abused and threatened them. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that since the friend of the petitioner / the accused/A1 to A3 did the offence, the petitioner was implicated in this case. Furthermore, he submits that the petitioner has one previous case, Crime No.775 of 2024, in which also, the petitioner was granted anticipatory bail. Additionally, he submits that the arrested co-accused were also enlarged on bail. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, stating that, while on routine patrol, the respondent police found the petitioner and other accused causing a public disturbance and threatening them with a knife. They also allegedly threatened the de-facto complainant/respondent police. The petitioner has a case of a similar nature, which has been registered in Crime No.775 of 2024 by the respondent police.

5. Having heard the learned counsel for the petitioner and the learned



Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record, and upon considering the co-accused was arrested and enlarged on bail in a similar nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 No.1, Chengalpattu**, 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 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;

[c] the petitioner shall report before the respondent Police on everyday at 06:30 P.M., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

[e] the petitioner shall not abscond either during the investigation or during the trial;

[f] 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 was 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]

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

02.01.2025

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To

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THE INSPECTOR OF POLICE,
D-1 Chengalpattu Town Police Station,
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(Crime No.778/2024)



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A.D. JAGADISH CHANDIRA, J.

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