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CRL OP No. 27129 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-10-2025

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CRL OP No. 27129 of 2025

1. Mahalingam
S/o.,Chockalingam,
No.99/1,Manakadu,
Koottappalli,Tiruchengode, Namakkal
District-637214

petitioner (s)

Vs

1. State Rep by its The Inspector of Police,
Velagoundampatty Police Station,
Namakkal District.
(Crime No.123 of 2025)

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No.123 of 2025 pending investigation on the file of the respondent Police.

For petitioner (s): Mr. T Dhasarathan

For Respondent(s): Mr.S.Santhosh
Government Advocate (Crl.Side)

**ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 133 and 351(2) of BNS, 2023 (under Sections 294(b), 324, 355 and 506(1) of I.P.C.) in Crime No.123 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 07.09.2025 at 9.30 p.m., when the defacto complainant was in her home along with her family members, the petitioner came to her home and assaulted her with PVC pipe and also with his footwear. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case; that the petitioner has never committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner. He also submitted that there is no previous case pending against the petitioner .



5. 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.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that there is no previous case pending against the petitioner 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.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate – I, Namakkal**, 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:

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



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[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].

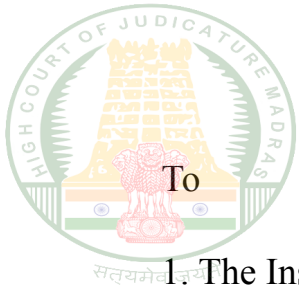
[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.10.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.*
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



To

1. The Inspector of Police,
Velagoundampatty Police Station,
Namakkal District.
(Crime No.123 of 2025)

2. The Judicial Magistrate -I,
Namakkal.

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



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N.SENTHILKUMAR J.

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