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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27961 of 2025

Mogane

... Petitioner

Vs.

State Rep. by
The Station House Officer,
Ariyankuppam Police Station,
Puducherry.
Crime No.192 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.192 of 2025 on the file of the respondent police.

For Petitioner : Mr.Prakash Adiapadam

For Respondent : Mr.K.S.Mohandass,
Public Prosecutor (Puducherry).

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 75 and 79 of BNS Act, in Crime No.192 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner house is opposite to the defacto complainant's house, he always seeing the defacto complainant in bad manner and gave sexual harassment to her. Hence the case.

3. The learned counsel for the petitioner would submit that on 18.07.2025, due to a property dispute, the defacto complainant's husband attacked the petitioner and his father with wooden log, in which they got serious injuries. Hence, the petitioner gave complainant before the respondent police against the defacto complainant's husband for which the respondent police registered Cr.No.151 of 2025 against him. Therefore, the defacto complainant in order to defend that FIR, as a counter blast has made a false complaint against the petitioner on 20.09.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent police would submit that it is a case of counter complaint and that there is no previous case against the petitioner. However, he opposed for grant of bail to the petitioner.

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



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6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that there is no previous case pending against the petitioner, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate III, Pondicherry**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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;



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[c] the petitioner shall report before the respondent police daily 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

14.10.2025

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To

1. The Judicial Magistrate III, Pondicherry.
2. The Station House Officer,
Ariyankuppam Police Station,
Puducherry.
3. The Public Prosecutor,
High Court of Madras.

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