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Crl.OP.No.28625 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.28625 of 2025

Sivaraj

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
(Cr.No.141 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Cr.No.141 of 2022 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence **under Section 294(b), 323, 324, 392, 397 & 506(ii) of IPC in Crime No.141 of 2022** on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that due to parking dispute



there was quarrel arose between the petitioner and the defacto complainant resulting which, this petitioner attacked the defacto complainant and taken away to the tune of Rs.600/- and also threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that the case itself registered in the year 2022 and the petitioner is not having any previous cases and also co-accused were arrested and released on bail. He further submitted that he is ready to abide by any stringent conditions that may be imposed by this Court and ready to cooperate for investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and upon instructions reported that the property has been recovered and arrested accused in this case also released on bail. He further submitted that the injured has been discharged from the hospital and that no previous bad antecedents has been registered against him. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, taking note of the submission made by the learned Government Advocate (Criminal Side), the nature of allegation, property was recovered and also the fact that the injured has been discharged from the hospital and no previous bad



antecedents registered against him, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Krishnagiri**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two **sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(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 identify proofs to ensure their identity;

K.RAJASEKAR, J.

ssi

(c) **The petitioner shall report before the respondent police everyday 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22.10.2025

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To:

- 1.The Judicial Magistrate No.II, Krishnagiri.
- 2.The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
- 3.The Public Prosecutor, High Court of Madras.

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