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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29124 of 2025

Sivakumar

... Petitioner

Vs.

The State Rep. by Inspector of Police,
Ooty Town Central Police Station,
Nilgiris District.
(Crime No.190 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita., to enlarge the petitioner on bail in Crime No.190
of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Durai Murugan

For Respondent : Mr.S.Udayakumar

Government Advocate (Crl. Side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 131, 132, 221 and 351(2) of
BNS Act, in Crime No.190 of 2025, on the file of the respondent Police,
seeks anticipatory bail.



2. The case of the prosecution is that on 18.09.2025, the petitioner herein called the defacto complainant over phone and used abusive language and questioned about the delay in filing the Advocate Commissioner Report. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and the petitioner has been falsely implicated in this case; and that the custodial interrogation of the petitioner is not necessary in this case and hence, prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate reiterated the case of the prosecution and submit that the petitioner is having two previous cases. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, 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 Court, Udhagamandalam**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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;

[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;



K.RAJASEKAR, J.

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[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.

27.10.2025

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To

1. The Judicial Magistrate Court, Udhagamandalam.
2. The Inspector of Police,
Ooty Town Central Police Station,
Nilgiris District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.29124 of 2025