



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.11.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.30096 of 2025

Kirubakaran

... Petitioner

Versus

The State rep by its,
The Inspector of Police,
Thalainayar Police Station,
Nagapattinam District.
(Crime No.300 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.300 of 2025 on the file of the respondent police.

For Petitioner : Mr.Palanivel Nadimuthu

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 296(b), 126(2), 131, 351(2) of BNS Act and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.300 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that he is a neighbour of the defacto complainant. On the date of the alleged occurrence, due to a wordy quarrel, the petitioner is alleged to have attacked the defacto complainant with an iron rod, causing injuries to her, abused her and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that a wordy quarrel had taken place between the parties, a counter case has been lodged by the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that the injured was discharged from the hospital and the petitioner is not having any previous case. However, he strongly opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the facts and circumstances of the case and the



submissions made by both counsels, and taking note of the fact that the injured has been discharged from the hospital and there is no previous case against the petitioner and that it is a case and counter case and that custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned District Munsif cum Judicial Magistrate, Vedaranyam*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) 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., for a period of



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one week and thereafter as and when required for interrogation;

(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

05.11.2025

drl

To

1.The District Munsif cum Judicial Magistrate,
Vedaranyam.

2. The Inspector of Police,
Thalainayar Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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