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CRL OP No. 32231 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32231 of 2025

K.Goutham

Petitioner(s)

Vs

The Inspector of Police,
D2 Anna Salai Police Station,
Chennai-600045. Crime No.401/2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS Act, 2023, praying to enlarge the petitioner on Anticipatory bail in the event of arrest by the respondent police in Crime No.401 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): M/s.Nancy N.D

For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 296(b), 115(2), 118(1) & 324(2) of BNS, 2023 in Crime No.401 of 2025, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant and abused him in filthy language; that the petitioner had damaged the win-shield of the car.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner had not deceived the defacto complainant and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and prayed for anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner, without prejudice to his defence and contention, is ready and willing to deposit an amount of Rs.5,000/- to the credit of crime number. Hence, he prayed for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned



Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

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7. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of **Crime No.401 of 2025** before the *learned Metropolitan Magistrate-II, Egmore*, without prejudice to the right of the defence before the Trial Court and making it clear that it would not amount to admission of guilt.

8.Considering the nature of allegations, the fact that there is no previous case pending against the petitioner; and the voluntary submission made by the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9.Accordingly, petitioner is directed to make a non-refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of **Crime No.401 of 2025** before the *learned Metropolitan Magistrate-II, Egmore*, without prejudice to the right of the defence before the Trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on



which the order copy is made ready, before the ***Learned Metropolitan Magistrate-II, Egmore***, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties 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 conditions 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 daily at 10.30 a.m., for a period of two weeks 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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gbi



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To

- 1.The Inspector of Police,
D2 Anna Salai Police Station,
Chennai-600045. Crime No.401/2025
2.The Metropolitan Magistrate-II,
Egmore.
3.The Public Prosecutor,
High Court of Madras.



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