



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32043 of 2025

Nantha Kumar

Petitioner(s)

Vs

State Rep by
Inspector of Police, B-3, Kanchi Taluk
Police Station, Kanchipuram District.
(Cr.No. 469 of 2025)

Respondent(s)

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 in the hands of Respondent in Cr.No. 469 of 2025 pending investigation on the file Respondent Police.

For Petitioner(s): Mr.Hariharan B

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

ORDER

Apprehending arrest in connection with Crime No.469 of 2025 registered for the offences punishable under Sections 126(2), 296(b), 115(2), 351(2) of BNS r/w 4 of TNPHW Act @ altered under Sections 126(2), 296(b), 115(2),



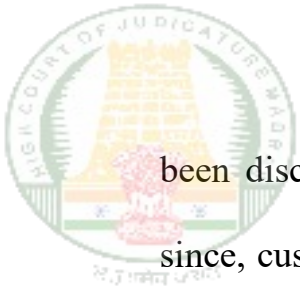
351(2) of BNS r/w 4 of TNPHW Act r/w 11(1), 12 of POCSO Act, against the petitioner, the present petition has been filed by the petitioner seeking anticipatory bail.

2.The case of the prosecution is that on 31.10.2025, at 7.30 a.m., the defacto complainant and her sisters went to a Paani poori shop. While they return home, the petitioner along with other accused waylaid them, using filthy language, and attacked the defacto complainant and her sister. Hence, the case.

3.The learned counsel appearing for petitioner submitted that the entire allegation is false, vindictive, wanton and he is no way connected with the offence. He would submit that he has not at all committed any of offence as alleged by the respondent police and he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. Hence, the learned counsel prayed for the grant of anticipatory bail to the petitioner.

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

5. Considering the nature of allegations, the fact that the injured has



been discharged from the hospital, the petitioner has no bad antecedents and since, custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 days from the date on which the order copy is made ready, before the **learned Principal District and Sessions Judge, Kanchipuram**, 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 condition 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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.

02-12-2025

gbi

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

- 1.State Rep by
Inspector of Police, B-3, Kanchi Taluk
Police Station, Kanchipuram District.
(Cr.No. 469 of 2025)
- 2.The Principal District and Sessions
Judge at Kanchipuram.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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