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CRL OP No. 32803 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32803 of 2025

Karthikeyan

Petitioner(s)

Vs

State rep by, The Inspector of Police,
CMBT Police Station, Chennai District.
Crime no. 702 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail, in the event of his arrest, pending investigation in Crime no. 702 of 2025 on the file of Inspector of Police, CMBT Police Station, Chennai District.

For Petitioner(s): Mr.Arivazhagan C

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

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(1) & 351(3) of BNS, 2023, in Crime No.702 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner and the de facto complainant had a wordy quarrel, as a result of which the latter was attacked and injured. Hence, the complainant.

3. The learned counsel for the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation, hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case as against the petitioner and that the injured was discharged from the hospital.

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

6. Considering the submissions made on either side; nature of allegation; that the injured was discharged from the hospital, there is no previous cases pending against the petitioner 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 subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned V Metropolitan Magistrate, Egmore**, 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent everyday at 10:30 a.m., until further orders;

[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 of BNS.

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Crime no. 702 of 2025.
- 2.The V Metropolitan Magistrate,
Egmore.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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