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CRL OP No. 33245 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 33245 of 2025

Prithigaivasan

Petitioner(s)

Vs

The State Rep By The Inspector of Police,
Perambalur Police Station, Perambalur District.
(Crime No.466/2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of apprehending arrest in the Crime No.466 of 2025 on Inspector of Police, Perambalur Police Station, Perambalur District.

For Petitioner(s): Mr.Muthamizh Selvakumar P

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 296(b), 115(1), 109, 351(3) of BNS,



in Crime No.466 of 2025, on the file of the respondent police, seeks anticipatory bail.

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2.The allegation against the petitioner is that the petitioner along with other accused, attacked the defacto complainant and caused cut injuries on his head. Hence, the case.

3.The learned counsel for the petitioner submitted that the defacto complainant was assaulted by others, and for the purpose of detaining the petitioner, his name was included in the FIR on the instigation of the respondent police. The defacto complainant has filed an affidavit stating the petitioner did not attack him. A quash petition was also filed before this Court in Crl.OP No.31957 of 2025 and since the petitioner was having previous case and he has also been falsely implicated in this case. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent police reported that totally there are four accused in this case and the petitioner is ranked as A2 and there are twelve previous cases pending against him and if



released on bail, he is likely to indulge in similar offences. She further submitted that the injured has been discharged from the hospital. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.I have also gone through the records and also the connected materials including the AR copy and in the AR copy, it revealed that one person caused injury. It is also submitted that the defacto complainant has also come forward to file an affidavit before this Court stating that the petitioner herein has not attacked him and hence, I am 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 (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court-I, Perambalur** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of



receipt of a copy of this order, this order shall stand automatically cancelled;

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(b) The sureties shall affix their 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the Court concerned daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on

anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

04-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

- 1.The State Rep By The Inspector of Police,
Perambalur Police Station, Perambalur
District. (Crime No.466/2025)
- 2.The Judicial Magistrate Court-I,
Perambalur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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