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CrI.OP.No. 34113 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 34113 of 2025

Manoj Kumar

Petitioner

Vs

The State rep. by

The Inspector of Police

R2 Kodambakkam Police Station

Chennai District

Crime No. 173 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No.173 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Bharanidharan

For Respondent : M/s.J.R.Archana

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1) and 351(3) of BNS and Section 4 of TNPHW Act in Crime No. 173 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation of the petitioner is that petitioner/A1 urinated in front of the house of the de-facto complainant. When the same was questioned by the de-facto complainant, the petitioner and others had abused and physically assaulted him with wooden lock. Due to the impact, he sustained injuries on his hands and intimidated with dire consequences. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that co-accused had been granted anticipatory bail by this Court.. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the injured person has been discharged from the hospital. He further submits that there is one previous case pending against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XVII Metropolitan Magistrate Court, Saidapet**, 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 learned Magistrate concerned and on further condition that:

(a) If the petitioner fail to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship



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[Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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12.12.2025



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To

1. XVII Metropolitan Magistrate Court, Saidapet

2. The Inspector of Police
R2 Kodambakkam Police Station
Chennai District

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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