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Crl.OP.No.34350 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34350 of 2025

1.Rajesh
2.Umanath

... Petitioners

Vs.

State rep by
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Thiruvottiyur, Chennai.
(Crime No.1213 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail, in the event of
their arrest in Cr.No.1213 of 2025, on the file of the respondent police.

For Petitioners : Mr.M.Dinesh

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 296(b), 132, 121(1), 351(2) of BNS 2023 in Cr.No.1213 of 2025 on
the file of the respondent police, seeks anticipatory bail.



2. The prosecution alleges that the petitioners had quarreled with the defacto complainant who is serving in the electricity department, for non availability of power supply in their area and also attacked him with hands which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in the case, He further submitted that the custodial interrogation of the petitioners is not necessary. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case against the petitioner. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations, no previous antecedent and that the custodial interrogation of the petitioners is not necessary for the purpose of investigation, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days



from the date on which the order copy made, before the learned **Judicial Magistrate, Thiruvottiyur, Tiruvallur District** on condition that each of the petitioners shall execute separate bonds 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 petitioners 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;

(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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) The petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) The petitioners shall not abscond either during investigation or trial:

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if



the conditions have been imposed and the petitioners 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]***;

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

16.12.2025

Vv

To

1. The ***Judicial Magistrate, Thiruvottiyur, Tiruvallur District***
2. The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Thiruvottiyur, Chennai.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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