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CRL OP No. 34838 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34838 of 2025

1. S. Chalres
S/o.Soosai, Door No.546, 5th Street,C-
Kalyanapuram, Vyasarpadi, Chennai
600 039.

Petitioner(s)

Vs

1. State Rep. by The Inspector of
Police,
P-6, Kodungaiyur Police Station,
Chennai. (Crime No.489/2025)

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime.No.489/2025 pending investigation on the file of the respondent police and thus render Justice.

For Petitioner(s): E Kannadasan

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 351(2) of Bns 2023 r/w. Section 3 of Tamil Nadu Open Places (Prevention of Disfigurement) Act 1959



in Crime No.489 of 2025, seeks anticipatory bail.

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2. The allegation against the petitioner is that the petitioner erected a banner without prior permission from the competent authority. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having bad antecedents and is a history sheeter. Hence, vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of the offences, though the petitioner is having previous cases, 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 (15) days from the date on which the order copy made ready, before the **learned Xth 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 learned Magistrate concerned, and on further condition:

(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 petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two 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 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 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.

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Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Xth Metropolitan Magistrate, Egmore.

2. State Rep. by The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai. (Crime No.489/2025)

3. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
mpa

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