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Crl.O.P.No.35445 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35445 of 2025

S.M.Murath

... Petitioner / Accused

Vs

State Rep. by
The Inspector of Police
B-1 North Beach Line Police Station
Chennai.
(Crime No.371/2025)

... Respondent / Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to grant anticipatory bail to the petitioner in the event of his arrest or his appearance before any Court in connection with the case in Crime No.371 of 2025.

For Petitioner : Mr.Prabakar Ramasamy

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115(2),

1/5



118(1), 351(3) of BNS, 2023, in connection with Crime No.371 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that there was a dispute between the de facto complainant and the petitioner with regard to parking of vehicles. The petitioner alleged to have abused the de-facto complainant and attacked him with hands and screw driver, thereby the de-facto complainant said to have sustained injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case. Due to a business rivalry, the de facto complainant was instigated by the other shop owners to create problem with the petitioner. The de facto complainant ransacked the shop and also created issue in parking and attacked the petitioner. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the defacto Complainant was abused and attacked by the petitioner and investigation is pending hence opposed for grant of anticipatory bail to the petitioner.



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

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6. Considering the nature of the offences and that the injured person has been discharged from hospital and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Metropolitan Magistrate No.VII, George Town** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent-police every Saturday at 10.30 a.m., for a period of four weeks.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

shl/nsd

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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P.DHANABAL, J.,

shl/nsd

To

1. The Metropolitan Magistrate No.VII,
George Town

2. The Inspector of Police
B-1 North Beach Line Police Station
Chennai.

3. The Public Prosecutor
High Court of Madras

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