



WEB COPY

CRL OP No.35824



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35824 of 2025

P.Gopi

Petitioner(s)

Vs

The State rep by The Inspector of Police
Kalambur Police Station, Tiruvannamalai
District. Crime No. 307 of 2012

Respondent(s)

PRAYER: The Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in C.C.No. 31 of 2013 pending trial on the file of the learned Judicial magistrate, Arni, Tiruvannamalai District.

For Petitioner(s): Mr.E.Sathiyaraj Elangovan

For Respondent(s): Mr.S.Udaya Kumar,
Govt. Advocate (Crl. side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 294(b), 115(2), 74, 351(3) of BNS Act in C.C.No.31 of 2013 in Crime No.307 of 2012 on the file of the respondent police,



seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused attacked the defacto complainant and threatened him with dire consequences. Further the petitioner has not appeared for the trial before the trial Court, hence, non bailable warrant has been issued against the petitioner in C.C.No.31 of 2013. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that non-appearance of the petitioner before the trial Court was neither willful nor wanton and he will cooperate with the trial proceedings in future. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent reiterated the case of the prosecution and on instructions submitted that Non-bailable Warrant was issued on 11.11.2025 and due to non-appearance of the petitioner before the trial Court, absconding charge sheet was filed.

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



WEB COPY

6. Considering the nature of offence, and the fact that the investigation is completed and charge sheet has been filed and due to non appearance of the petitioner, absconding charge sheet was filed against the petitioner and now that the petitioner is ready to appear before the trial Court, this Court is 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 **Judicial Magistrate, Arni, Tiruvannamalai District** 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 Judicial Magistrate, Arni, Tiruvannamalai District daily at 10.30 a.m., until further orders;

[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 them 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 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].

WEB COPY [f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

30-12-2025

dsa/av

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 official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate, Arni,
Tiruvannamalai District

2.The Public Prosecutor, High Court,
Madras.

3.The Inspector of Police,
Kalambur Police Station,
Tiruvannamalai District.



WEB COPY



CRL OP No.35824

P.DHANABAL J.

dsa/av

CRL OP No. 35824 of 2025

30-12-2025



CRL OP No. 35824 of 2025

WEB COPY

P.DHANABAL, J.

This Criminal Original Petition is posted today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner would submit that in the order dated 30.12.2025, in Paragraph No.1 the Provision of Law was wrongly mentioned as Section 294(b), 115(2), 74, 351(3) of BNS Act instead of ***Section 294(b), 323, 354, 506(ii) of IPC (Corresponding Section 296(b), 115(2), 74, 351(3) of BNS Act).***

3. Since this is a typographical error, Registry is directed to replace paragraph number 1 as follows:

"1. The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 294(b), 323, 354, 506(ii) of IPC (Corresponding Section 296(b), 115(2), 74, 351(3) of BNS Act) in Crime No.307 of 2012 on the file of the respondent police, seeks anticipatory bail."



CRL OP No.35824



WEB COPY

4. Registry is directed to carry out the above said correction and issue fresh order copy.

mtl

12.01.2026



WEB COPY

CRL OP No.35824



P.DHANABAL, J.

mtl

CRL OP No. 35824 of 2025

12.01.2026