

Kannan vs State Rep by

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SooperKanoon Citation : sooperkanoon.com/1749830

Court : Chennai Orders

Decided On : Jan-31-2025

Judge : Honourable Mr Justice Sunder Mohan

Appeal No. : CRL OP/2311/2025

Appellant : Kannan

Respondent : State Rep by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN 1.Kannan
2.Shanmugam ... Petitioners / A1 & A2 Vs. State Represented by The
Inspector of Police, Cr.No.Not Known ... Respondent / Complainant
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on
anticipatory bail in the event of his arrest in Crime No.not known on the
file of the respondent Police. For Petitioners : Ms.Pandi Meena For
Respondent : Mr.S.Santhosh, Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No. Not Known registered for the offences punishable under Sections 296(b), 115(2), 118(1), 35(3) of Bharathia Nyaya Sanhita, 2023 (BNS), the present petition has been filed by the petitioners seeking anticipatory bail.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that enquiry is pending in CSR.No.36 of 2024 against the petitioners.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

4. Recording the submission made by the learned Government

Advocate (Crl.Side), it is hereby directed that the respondent police has to issue notice under Section 35 of BNSS to the petitioners and the petitioners are directed to appear before the respondent police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any prima facie case is made out against the petitioners, register the F.I.R or close the petition enquiry within three weeks.

5. The parties are directed to cooperate with the enquiry. It is needless

to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the de facto complainant.

6. With the above directions, this Criminal Original Petition stands disposed of.
smv To 1.The Inspector of Police, 2.The Public Prosecutor, High Court of Madras.

SUNDER MOHAN, J.

smv

