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CRL OP NO. 3418 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3418 of 2025

1. Shanmugam
2. Sampath

Petitioners

Vs

The State Rep.By, The Inspector Of Police,
Omalur Police Station Salem District
(Cr.No.56/ 2025)

Respondent(s)

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on
anticipatory bail in the event of arrest in Crime No. 56 of 2025 pending
on the file of the respondent police.

For petitioners:

Mr.Ganesan T

For Respondent(s):

Mr.S.Balaji, Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 126,296(b), 115(2),
118(1) and 351(3) of BNS, seeks anticipatory bail.



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2. The case of the prosecution is that due to a wordy quarrel between the petitioners and the *de facto* complainant, the latter was attacked and injured. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners .

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the injured was discharged from hospital and there is a case and counter case, hence, opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the



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materials available on record.

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6.Considering the submissions made by either side, the injured was discharged from the hospital, there is a case and counter case and custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Omalur** on condition that the petitioners 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police everyday at 10:30 a.m, until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the

SUNDER MOHAN,J.

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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 vs. State of Kerala [(2005)AIR SCW 5560];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

1. The State Rep.By, The Inspector Of Police,
Omalur Police Station
Salem District (Cr.No.56/ 2025

2. Judicial Magistrate, Omalur

3.The Public Prosecutor

High Court, Madras



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