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Crl.O.P.No.32375 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.12.2024

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.32375 of 2024

1.Sivakumar
2. Murugan

... Petitioners

Vs

State by
Inspector of Police,
Maharajakadai Police Station,
Maharajakadai, Krishnagiri District..
[Cr. No. 219 of 2024]

... Respondent

For Petitioner : Mr.Dhilip Roshan

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

PRAYER: The Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 praying to enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No.219 of 2024 on the file of Inspector of Police, Maharajakadai Police Station, Maharajakadai, Krishnagiri District..



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ORDER

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2. The case of the prosecution is that there was wordy quarrel between the petitioners and the defacto complainant and the petitioners along with other accused persons attacked the defacto complainant and his relative. Due to which, he sustained injuries and was admitted in the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would also submit that they have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted there was wordy quarrel between the petitioners and the defacto complainant and the petitioners along with



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other accused attacked the defacto complainant due to which, he sustained injuries. He would also submits that there are seven previous cases as against the petitioners and there is a case in counter. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.2, Krishnagiri District** on condition that the petitioners shall execute a separate 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report **before the respondent**



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police on everyday at 10.30 A.M. for a period of 30 days and thereafter as and when required for interrogation;

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[b] the petitioners 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 of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

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

[e] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560]***.



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

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L.VICTORIA GOWRI J.

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