



Crl.O.P.No.32489 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE **L.VICTORIA GOWRI**

Crl.O.P.No.32489 of 2024

1. Hariharasudan
2. Virumayi
3. Priyadarshini

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Velipalayam,
Nagapattinam.
(Crime No.410 of 2024)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.410 of 2024, on the file of the Inspector of Police, Velipalayam, Nagapattinam District.

For Petitioners : Mr.D.Dineshkumar

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



Crl.O.P.No.32489 of 2024

ORDER

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 296(b), 118(1), 324(4), 351(3) of BNS, in Crime No.410 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the petitioners and defacto complainant and his brother, the petitioners engaged A1 to A3 to assault the defacto complainant. It is further alleged that A1 to A3 assaulted the defacto complainant with wooden log and threatened him with dire consequences and also damaged the tea shop owned by his brother. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court. Hence, he prays for grant of anticipatory bail to the petitioners.



Crl.O.P.No.32489 of 2024

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners are arrayed as A3 to A5 and they engaged A1 to A3 to assault the defacto complainant and also caused damage to the tea shop. He further submitted that the injured discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the arguments from both sides, the nature of the offence, and considering the fact of the case and the injured discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, this Criminal Original Petition stands allowed and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial**



Crl.O.P.No.32489 of 2024

Magistrate-II, Nagapattinam, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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].

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

27.12.2024

rts/ssi



WEB COPY



Crl.O.P.No.32489 of 2024

To

1. The Inspector of Police,
Velipalayam,
Nagapattinam.
2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.32489 of 2024

L.VICTORIA GOWRI, J.

rts

Crl.O.P.No.32489 of 2024

27.12.2024