



CRL OP NO. 82 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 82 of 2025

1.Prabakaran
2.Santhi
3.Dinesh Kumar

Petitioner(s)

Vs

The State Rep.By, The Sub Inspector Of Police,
Karuppur, Salem.

Respondent(s)

For Petitioner(s):

Soundararajan K
C.Deepak Kumar
R. Pandi Meena

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

Apprehending arrest in connection with Crime No.891 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, the present petition has been filed seeking anticipatory bail.



2. Pleading innocence on the part of the petitioners, false implication in the

counsel for the petitioners seeks indulgence of this Court. He would submit that the

petitioners are innocent persons and have had nothing to do with the allegations made in the

complaint. He would submit that the petitioners are ready to abide by any stringent condition

that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side)

appearing for the respondent Police, opposing for grant of anticipatory bail, is that though the

matter appears to be a civil dispute, the petitioners have habitually attacked the defacto

complainant. He would submit that, as far as the first petitioner is concerned, he assaulted the

defacto complainant with a knife, while the second and third petitioners assaulted him with

their hands. He would also submit that there is a case in counter case filed against the defacto

complainant.

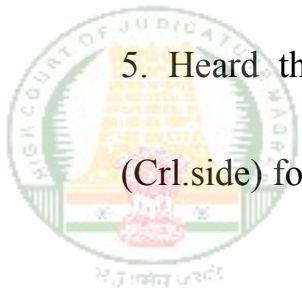
4. The learned counsel for the intervenor/defacto complainant would vehemently opposed the

petitioner's claim that this is a civil dispute. The fact remains that the petitioners unlawfully

blocked the public path and have been repeatedly harassing and assaulting the public. He

would submit that the first petitioner used a knife and caused grievous injuries to the defacto

complainant. Therefore, he objected for grant of bail to the petitioners.



5. Heard the learned counsel for the petitioners and the learned Government Counsel (Crl.side) for the respondent and perused the materials available on record.

WEB COPY

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioners, this Court is of the view that the first petitioner attacked the defacto complainant with a knife. Therefore, **this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed as against the first petitioner.** As far as the second and third petitioners are concerned, this Court is of the view that they may be granted bail. Accordingly, the second and third 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 No.II, Salem, on condition that the second and third 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, on further condition that:

[a] if the second and third petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

