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Crl.O.P.No.331 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.01.2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 331 of 2025

1.Ramadoss

2.Jagan

3.Kanniappan

4.Thulasiraman

5.Kanagavalli

6.Dharchayani

... petitioners

Vs

The State Rep by
The Inspector of Police,
Pennalurpet Police Station,
Tiruvallur District.

(Crime No.314 of 2024)

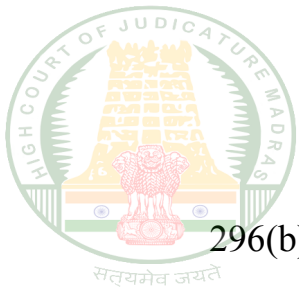
...Respondent

For petitioners : Mr.P.D.Dillibabu

For Respondent : Mr.S.Santhosh,
Government Advocate (Criminal Side)

ORDER

Apprehending arrest in connection with Crime No.314 of 2024
registered for the offence punishable under Sections 191(2), 191(3),



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296(b), 115(2), 118(1) and 351(2) of BNS, 2023, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this court. He submits that due to previous enmity and the land dispute, while the defacto complainant was returning to his residence, the petitioners have assaulted him with iron rods and stones, due to which, the defacto complainant had sustained injuries and had discharged from the hospital. He further submits 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 putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that due to previous enmity between the petitioners and the defacto complainant, A1 had assaulted with hands and A2 had attacked with iron rod and A3 to A6 had assaulted with bricks and caused grievous injuries to him. He further submits that the victim had took treatment for five days and now, he is taking treatment in the private hospital.



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4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is not inclined to grant anticipatory bail to the second petitioner/A2 and **the petition stands dismissed in respect of the second petitioner/A2. Anticipatory Bail is granted in respect of other petitioners viz., A1 and A3 to A6 with certain conditions** and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance.

5. Accordingly, the petitioners viz., A1 and A3 to A6 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 on which the order copy made ready, before the **learned District Munsif-cum-Judicial Magistrate, Uthukkottai**, on condition that the said petitioners shall execute a bond each for a sum of **Rs.15,000/- (Rupees Fifteen 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners, viz., A1 and A3 to A6 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a



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copy of their Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioners viz.,A1 and A3 to A6 shall report before the respondent police everyday at 10.30a.m., for a period of two weeks and thereafter, every Saturday at 1030a.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;

[e] 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]**;

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

09.01.2025

raa

To



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- 1.The District Munsif-cum-Judicial Magistrate, Uthukkottai.
- 2.The Inspector of Police, Pennalurpet Police Station,
Tiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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