



CRL OP NO. 253 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 253 of 2025

D.Sunmithan

S/o. M. Deivasigamani No. 6 K.S. Mani Street, Kavankarai
Puzhal, Chennai 600 066, Thiruvallur District. and 2 Others

Petitioner(s)

Vs

The State Rep by

The Inspector of Police, M-3, Puzhal Police Station, Greater
Chennai, Kolathur District, Chennai-600 066

Respondent(s)

For Petitioner(s):

Gopinath G
M.Sivaraman
S.Pavithra

For Respondent(s):

S.Santhosh
Public Prosecutor
Madras High Court.

ORDER

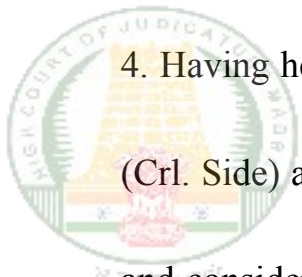
The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 115(2) 118(1) and 351(3) of B.N.S. in Crime No. 1062 of 2024, on the file of the respondent police, seek anticipatory bail.



2. Learned counsel for the petitioners would submit that the petitioners and the defacto complainant are neighbors with a history of enmity, due to a land dispute. He submitted that

on 29.12.2024, the defacto complainant, intentionally opened his car door, causing the first petitioner to crash into it and sustained injuries. He further submitted that the first petitioner was then abused and assaulted using wooden log and stone by the defacto complainant. He also submitted that, when other petitioners herein, arrived to rescue the first petitioner, the defacto complainant along with his family members, abused and assaulted the petitioners. He further submitted that the first petitioner herein had sustained injuries and admitted to Stanley Hospital and lodged a complaint against the defacto complainant and his family members, which has been registered in Crime No.1063 of 2024 under Sections 115(2), 118(1) and 351(2) of B.N.S. He further submitted that the petitioners are ready to abide by any condition that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) opposed for granting of anticipatory bail to the petitioners, by stating that, due to previous enmity, on account of land dispute between the defacto complainant and the petitioner's family, both parties exchanged blows using wooden logs, thereby, the defacto complainant sustained injuries. He also submitted that a case in counter has been lodged by the first petitioner herein against the defacto complainant.



4. Having heard the learned counsel for the petitioner and the learned Government

(Crl. Side) appearing for the respondent Police and perused the materials available on record

and considering the fact that a case in counter has been lodged by the first petitioner herein,

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this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 District cum Judicial Magistrate, Madhavaram** on condition

that the petitioner shall execute 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 said Magistrate,

on further condition that:

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

[b] the petitioner sand the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioners are directed to stay at Villupuram District and **the petitioner shall report before the Villupuram Town Police Station on everyday at 10:30 A.M., until further orders; It is made clear**

that the petitioner shall not enter into the jurisdictional limit of the



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respondent Police Station until further orders.

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

[e] the petitioners shall not abscond either during the investigation or during the trial;

[f] 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 were 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]

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

20-01-2025

msv
To

The Inspector of Police,
M-3, Puzhal Police Station,
Greater Chennai, Kolathur District,
Chennai-600 066