



CRL OP NO. 285 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

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1. Stalin Jesu Raj
2. Saravanan
3. George Salamon
4. Prasanth

Petitioner(s)

Vs

The State rep by,
The Inspector of Police,
Perumanallur Police Station,
Tirupur District.
(Crime.No.595/2024).

Respondent(s)

For Petitioner(s): Mr.Prabhakaran Karuppannan

For Respondent(s): Mr.S.Santhosh,Government Advocate (Crl. side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, (B.N.S.), in Crime No.595/2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is



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that due a money dispute, the petitioners allegedly assaulted the de-facto complainant with wooden log and sustained injuries and also abused him in filthy language. Hence, this case.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no connection with the offence as alleged by the prosecution, and have been falsely implicated, due to previous enmity. There are no previous cases pending against the petitioners. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners. He stated that the accused/A1 to A4 are the petitioners herein, who had allegedly assaulted the de-facto complainant, caused injuries. The first petitioner/accused/A1 has one previous case pending against him and he is the main accused in this case, who allegedly abducted the de-facto complainant. As far as the petitioners 2 to 4 are concerned, no previous cases are pending against them. The injured person has been discharged.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused



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the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, **as far as the first petitioner is concerned, the anticipatory bail is dismissed and the remaining petitioners 2 to 4** 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, Avinashi**, on condition that the petitioners 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 petitioners and 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 2 to 4 shall report before the respondent Police on every day at 10:30 A.M., for a period of two weeks and thereafter, on every Saturday at



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10:30 A.M until further orders; As for the first petitioner, this anticipatory bail petition is dismissed;

[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.

23-01-2025

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To
1. The State rep by,
The Inspector of Police,
Perumanallur Police Station, Tirupur District.

A.D. JAGADISH CHANDIRA, J.

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