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Crl.O.P.No.409 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.409 of 2025

1.Velumani

2.Vinothkumar

... petitioners

Vs

The State Rep by
The Inspector of Police,
Melchengam Police Station,
Thiruvannamalai District.

(Crime No.421 of 2024)

...Respondent

For petitioners : Mr.R.Balakrishnan

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

ORDER

Apprehending arrest in connection with Crime No.421 of 2024 registered for the offence punishable under Sections 126(1), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023, the present petition has been filed seeking anticipatory bail.



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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 the petitioners said to have attacked the defacto complainant with hands and stones, due to which, the defacto complainant had sustained multiple injuries. He further submits that now, the injured has been discharged from the hospital and 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 the defacto complainant is doing Hallow Bricks business and while he was going along with his previous employee, who is north Indian, in his two wheeler, the first petitioner had assaulted him with hands and the second petitioner had attacked him with stones and due to which, the defacto complainant had sustained grievous injuries. He would submit that the injured is still in the 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 inclined to grant anticipatory bail to the petitioners 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 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 Judicial Magistrate, Chengam**, on condition that the 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 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;



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[b]the petitioners shall report before the respondent police everyday at 10.30a.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

- 1.The Judicial Magistrate, Chengam.
- 2.The Inspector of Police, Melchengam Police Station,
Thiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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