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CRL OP NO.525 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 525 of 2025

1. ANIMUTHU
2. KATHIR @ KATHIRAVAN
3. PALPANDI @ PANDIYAN

petitioners(s)

Vs

State Rep. by

The Inspector of Police,
Saibaba Colony Police Station,
Coimbatore District.
(Crime No.02 of 2025)

Respondent(s)

For petitioners(s): Mr. P. Narayana Prasadh

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

ORDER

The petitionerss, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1), 324(4), 324(5) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, (B.N.S.) and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, r/w Section 3 of the Tamil Nadu Public Property (Prevention of Damage & Loss) Act, (TNPPDL) 1992, in Crime No.02/2025, on the file of the respondent



police, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant, who is the manager of a company, had given a loan to the first accused/A1. When the de-facto complainant demanded repayment, the petitioner/A2 attacked him as well as the staff, including female staff, and also caused damage to the properties, including a statue. Hence, this case.

3. Learned counsel for the petitioners submits that the petitioners are innocent persons who have been falsely implicated in this case. Further, he submits that the accused/A1 is the main accused, who was arrested and later released on bail. The petitioners are ready to abide by any stringent conditions that may be imposed by this Court. 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, stating that the petitioners are A2, A5 and A7. The de-facto complainant lend a loan to the accused/A1, when he asked to repay the same, a heated arugment ensued, resulting in a clash between them, the petitioners attacked the de-facto



complainant and the accused/A2 attacked all the staff, including the de-facto complainant and caused damage to the properties, including a statue. The co-accused/A1 was arrested and enlarged on bail. The petitioners/A5 & A7, have no previous cases pending against them. The first petitioner/A2 has six previous cases under Prohibition Act, but none of which are similar in nature.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police and perused the materials available on record, upon considering the co-accused was arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate -VII , Coimbatore**, on condition that the 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 petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



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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 shall report before the respondent Police on everyday at 06:30 P.M., 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 was 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

22-01-2025

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To

1. State Rep. by



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A.D. JAGADISH CHANDIRA, J.

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