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Crl.O.P.No.1183 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.01.2025

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THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No. 1183 of 2025

1. Sasikumar
2. Sivanmalai
3. Sivasakthi
4. Ajithkumar

... Petitioners

Vs

State of Tamil Nadu,
Represented by Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
[Crime. No. 13 of 2025]

... Respondent

For Petitioners : Mr.C.S.Saravanan

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

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 296(b), 115(2), 118(1) 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.13 of 2025 on the file of the respondent police seeks anticipatory bail.



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The case of the prosecution is that on 09.01.2025, the defacto complainant who works as the in charge at a Kia Car showroom in Dharapuram, was informed that the first petitioner, the husband of the receptionist Prabhavathy had quarreled with her and taken her back. The complainant shared this information with Manikandan, who has a close relationship with Prabhavathy. Later that evening, around 5.10 P.M. when the complainant and Manikandan were conversing, the first petitioner called the complainant and asked to meet him. Upon meeting, the petitioners allegedly abused the complainant using filthy language and assaulted due to which he sustained injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. The petitioners have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioners abused the defacto complainant using filthy language, assaulted and caused injuries. He further submitted that there is no previous case pending against the petitioners. However, he opposed to grant bail to the petitioners.

5. Considering the representations made by both sides and nature of offences charged against the petitioners and also considering the fact that there is no previous case pending against the petitioners and injured was discharged from hospital, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **Judicial Magistrate, Dharapuram** 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



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the learned Magistrate concerned and on further condition that:

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[a] the first and fourth petitioners shall report before the respondent police daily at 10.30 A.M. until further orders, and the second and third petitioners shall report before the respondent police as and when required for interrogation;

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

[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 released on bail by the learned Magistrate/Trial Court himself as laid down



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by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala*
[(2005)AIR SCW 5560].

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[g] If the petitioners thereafter absconds, a fresh FIR
can be registered under Section 269 B.N.S.

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G.R.SWAMINATHAN, J.

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