



Crl.OP.Nos.1232 & 1233 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. Nos.1232 & 1233 of 2025

1. Deepak @ Jeevath

2. Dinesh Kumar

... Petitioners in Crl.O.P.No.1232 of 2025

Santhanam

... Petitioner in Crl.O.P.No.1233 of 2025

Vs.

State rep. by its The Inspector of Police,
Selvapuram Police Station, Coimbatore District.

... Respondent in both Crl.O.Ps.

PRAYER: Criminal Original Petition filed under Section 482 of BNSS for granting anticipatory bail to the petitioners.

For petitioners : Mr.S.Raghuman

For Respondent : Mr.S.Santhosh
Government Advocate [Criminal Side]

COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296[b], 115[2], 118[1], 351[3]



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of BNS 2023 in Crime No.286 of 2024, on the file of the respondent police seek anticipatory bail.

2. The petitioner in Crl.O.P.No.1233 of 2024 is arrayed as A1 and the petitioners in Crl.O.P.No.1232 of 2025 are arrayed as A2 and A3. The case of the prosecution is that due to previous enmity with regard to a civil dispute, the petitioners along with other accused are alleged to have assaulted the defacto complainant and caused injury. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that a Civil suit is pending between the parties. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the injured has been discharged from the hospital. He further submitted that the petitioners in Crl.O.P.No.1232 of 2025 are not involved in any previous case and the petitioner in Crl.O.P.No.1233 of 2025 is involved in four previous cases.



5. Considering the submissions of both sides and also of the fact that the victim has been discharged from the hospital and that a civil suit is also pending against the parties, 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 their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate V, Coimbatore** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 and on further condition that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m. for a period of one month and thereafter, as and when required for interrogation.

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

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



[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S.

17.01.2025

vrc

To,

1. The Judicial Magistrate V,
Coimbatore.
2. The Inspector of Police,
Selvapuram Police Station, Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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