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CRL OP NO. 1494 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.1494 of 2025

1.R.VIGNESH
2.R.VIJAY @ VASANTHA KUMAR
3.A.THANGADURAI
4.P.RAMESH
5.D.SARATHY

petitioners(s)

Vs

State Rep By
Inspector Of Police, G-1,Kallakurichi Police Station,
Kallakurichi District. Cr.No.58 Of 2025.

Respondent(s)

For petitioners(s): Mr. M. Vimal Bobby Crimson

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 191(2), 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, (B.N.S.), in Crime No.58/2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and



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the petitioners belong to the same village. During the Pongal festival, a wordy quarrel arose between them. The petitioners were allegedly assaulted and abused in filthy language. Hence, this case.

3. Learned counsel for the petitioners submits that the petitioners are innocent persons who have been falsely implicated in this case. During the village festival, the de-facto complainant and his associates allegedly attacked the petitioners and thereby, some of the petitioners sustained injuries. Further, he submitted that a case in counter has also been filed. 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 submitted that there are 5 accused in this case. The petitioners/A1 is a college student. Due to a verbal quarrel between the petitioners and the de-facto complainant, the petitioners along with their associates assaulted the de-facto complainant and abused him. There are no previous cases pending against them.

5. Heard the learned counsel for the petitioners, and the learned



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Government Advocate (Crl. Side) appearing for the respondent Police and also perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, the petitioners 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 No.II, Kallakurichi**, 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 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 first petitioners/A1 shall report before the



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respondent Police on every Saturday at 10:30 A.M., until further orders; and the rest of the petitioners shall appear before the respondent Police on everyday at 10:30 A.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.

23-01-2025

klr

To
State Rep By
Inspector Of Police, G-1, Kallakurichi Police Station,
Kallakurichi District. Cr.No.58 Of 2025.

A.D. JAGADISH CHANDIRA, J.



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