



Crl.O.P.No.1580 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 24.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1580 of 2025

1.Elavarasan
2.Sanjaygandhi
3.Venkadesan

.... Petitioners

Vs

The Sub-Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
Crime No.26 of 2025

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant anticipatory bail to the petitioner in the event of their arrest in Crime No.26 of 2025 by the respondent police.

For Petitioners : Mr.Muthu Krishnan T
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.26 of 2025 registered for the offences punishable under Sections 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 petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the petitioners are innocent and have had nothing to do with the allegations made in the complaint. This is a case in counter case of Crime No.86 of 2024. He further submits that the petitioner is 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 (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that due to a dispute with adjacent land owners, the petitioners abused using filthy language and assaulted the defacto complainant. He would submit that a case in a counter case has been filed and there are no previous cases pending against the petitioners.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, they are ordered to be



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released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirukovilur, 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police on everyday at 06.30 p.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];



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A.D.JAGADISH CHANDIRA,J.

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes/No
Internet : Yes/No
Lpp

To

The Sub-Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.

2.The Public Prosecutor,
High Court, Madras.

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