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Crl O.P.No.2976 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2976 of 2025

Viji @ Vijayakumar
S/o. Pandiyan, No.6,8th Street, K.M.Gardan,
Perambur Barracks Road, Chennai - 600 012.
and another

petitioners(s)

Vs

State Rep.By, The Inspector Of Police,
P-1, Pulianthope Police Station, Chennai
District. Cr.No.35 of 2025.

Respondent(s)

For Appellant(s):

Mr.Punniakoti Ganesan

For Respondent(s):

Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296 (b), 115(2), 118(1) and 351(3) of BNS Act, in Crime No.35 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that a wordy quarrel arouse between the petitioners and *de facto* complainant, as a result of which the later was attacked with wooden log and sustained injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police per contra submitted that due to previous enmity, quarrel arouse between the petitioners and the *de facto* complainant as a result of which the *de facto* complainant was attacked with wooden log, admitted and discharged from hospital and there are no previous cases as against the petitioners. Hence, opposed for grant of anticipatory bail to the petitioners.



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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the representations made by both sides and as the *de facto* complainant has been discharged from the hospital, there are no previous case as against the petitioners and also the nature of allegations against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

(a) 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 Metropolitan Magistrate Court - X, Egmore** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[b] the petitioners shall report before the respondent police every day at 10:30 a.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]**;

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

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To,

1.The State Rep.By, The Inspector Of Police,
P-1, Pulianthope Police Station, Chennai District.
Cr.No.35 of 2025.



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