



Crl.OP.No.3135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 07.02.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**Crl.O.P.No.3135 of 2025**

1.Hemapoosanam  
2.Uma

.. Petitioners

**Vs.**

The State rep by  
The Inspector of Police,  
C1-Periyapalayam Police Station,  
Tiruvallur.

(Crime No.19 of 2025)

.. Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the  
event of their arrest in Crime No.19 of 2025 on the file of the respondent  
Police.

For Petitioners : Mr.KKarthik

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

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent  
police for the offences punishable under Section 296(b), 118(2), 351(3) of



BNS, in Crime No.19 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that on 11.01.2025, due to land dispute, the petitioners attacked the defacto complainant with wooden logs and hand, the defacto complainant sustained injuries and was admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are close relatives of the defacto complainant and that the injured has been discharged from the hospital. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioners and the defacto complainant are close relatives. He would further submit that the injured has been already discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail.



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

6. Considering the nature of allegations; the first petitioner is the son of the defacto complainant; and that the injured has been already discharged from the hospital; and that custodial interrogation of the petitioners are not required for investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

[a] Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate Court, Uthukottai**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police daily at



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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 Petitioner 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 BNS.

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Index : Yes / No  
Internet : Yes / No  
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To

1.The The Inspector of Police,  
C1-Periyapalayam Police Station,  
Tiruvallur.

2. The learned District Munsif cum Judicial Magistrate Court,  
Uthukottai.

3.The Public Prosecutor,  
Madras High Court,  
Chennai.



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**SUNDER MOHAN, J.**

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