



WEB COPY



Crl OP No.3261 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3261 of 2025

1. S.Sundar
2. V.Sivamani
3. S.Ravikumar
- 4.S.Murali
5. D.Raghuman
6. C.Rajesh
7. Naveenkumar
- 8.Manikandan
9. Viji
10. Praveenkumar
11. Senthil Kumar
12. Pugazhenth
13. Sathishkumar
14. Jegadeesan.G
15. Mohan
16. Prakash.D
17. Sivabalan
18. Subramani
19. Sasikumar
20. Kumaravel
21. V. Gnanavel

... Petitioners

Versus

State Rep by
Sub Inspector of Police,
E-5, Koovathur Police Station,
Koovathur,Chengalpattu District.

... Respondent



Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest in Cr.No.17 of 2025 on the file of the respondent police.

For petitioners : Mr.Venugopal
For Respondent : Mr.Leonard Arul Joseph Selvam
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), 191(3), 296(b), 115(2), 118(1), 324(4), 351 r/w 109 of BNS Act in Crime No.17 of 2025, seek anticipatory bail.

2. The case of the prosecution is that in a funeral procession, there was a dispute between two groups of fishermen; that the petitioners threatened and attacked the defacto complainant and his friends

3.The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.



WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that injured has been discharged from the hospital, that there is a counter case and there is one previous case against A1 and that the other petitioners have no bad antecedents.

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 the allegations, the fact that the injured has been discharged from the hospital; that there is a counter case and the fact petitioner/A1 is on bail in another case and the other accused have no bad antecedents, this court is of the view that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 **Judicial**

Magistrate, Thirukazhikundram, Chengalpattu District on condition

that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions that:

[a] the petitioner 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.

[b] **the petitioners shall report before the respondent police station daily 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



Crl OP No.3261 of 2025

imposed and the Petitioners are 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.

24.02.2025

Vv

To

1. The Judicial Magistrate,
Thirukazhikundram,
Chengalpattu District
2. The Sub Inspector of Police,
E-5, Koovathur Police Station,
Koovathur, Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl OP No.3261 of 2025

SUNDER MOHAN, J.

Vv

Crl.O.P.No.3261 of 2025

24.02.2025