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CRL O.P. No.3818 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3818 of 2025

1. P. Prem Singh S/o. Palvella Durai
2. P. Venkatesan S/o. Periyasamy
3. V. Santhosh S/o. Venkatesan
4. V. Raja S/o. Venkatesan Petitioners / Accused

Vs

State rep. by:-

The Inspector Of Police,
K10 Koyambedu Police Station,
Chennai-600 107. ... Respondent
[Cr. No.60 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in
Crime No.60 of 2025 on the file of the respondent police.

For Petitioners : Mr. Kumanan.N.

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]



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ORDER

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The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offence punishable under Sections 296(b), 118(1), 351(3), 324 of B.N.S., and Section 4 of the The Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in connection with the case in Crime No.60 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on account of prior dispute, when the defacto complainant was unloading the waste garbage in the land of A1, the accused prevented the defacto complainant attacked her and caused humiliation.

3. Learned Senior counsel for the petitioner would contend that the allegations against the petitioners are false; that in any case, considering the nature of allegations, custodial interrogation of the petitioners is not required for the purpose of investigation and hence prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), on instructions, reiterated the prosecution case and submitted that the 1st petitioner was arrested.



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5. 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.

6. Since the 1st petitioner was already secured by the respondent police, this criminal original petition against the 1st petitioner is **dismissed.**

6.1. As far as the 2nd to 4th petitioners are concerned, considering the nature of allegations, the injured was discharged from the hospital and since the custodial interrogation of the petitioners 2 to 4 is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 on certain conditions.

7. Accordingly, the petitioners 2 to 4 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 of receipt of a copy of this order, before the learned **V Metropolitan Magistrate, Egmore, Chennai** on condition that the



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petitioners 2 to 4 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners 2 to 4 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 2 to 4 shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.

d] the petitioners 2 to 4 shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



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Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

17.02.2025

mjs

To

- 1.The V Metropolitan Magistrate, Egmore, Chennai
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, K10 Koyambedu Police Station, Chennai-600 107.

SUNDER MOHAN. J.,

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