



WEB COPY



Crl OP No.4540 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4540 of 2025

1. S.Santhosh @ Sathoshkumar
2. Murali
3. S.Kowsalya
4. Aarthi

... Petitioners

Versus

State rep by
The Inspector of Police,
Ariyoor Police Station,
Vellore District.
(Cr.No.24 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.24 of 2025 on the file of the respondent police.

For petitioners : Mr.Nirmal Krishnan

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 Sections 191(2), 191(3), 296(b), 127(2), 118(1), 109(1), 351(3) of BNS 2023 r/w Section 3 of TNPHW Act 2025 in Crime No.24 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the brothers regarding ancestral property, due to which A2 and A4 had attacked the defacto complainant with wooden logs and caused injuries to the defacto complainant.

3. Learned counsel appearing for the petitioners submits that there was a dispute between the brother regarding ancestral property. He further submits that the petitioners have lodged a counter case alleging murder against the defacto complainant and others and that injured has been discharged from the hospital, in any case, the custodial interrogation of the petitioners is not required. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the injured had been discharged from the hospital. He further submitted that there is a counter case.

5. Considering the aforesaid submissions, nature of allegations and



the injured has been discharged from the hospital, this Court is of the view that the custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, 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(Additional Mahila Court) Vellore**, on condition that the 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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Petitioners in accordance with law as if the conditions have been 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]**;

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

20.02.2025

Vv

To

1. The Judicial Magistrate
(Additional Mahila Court),
Vellore
2. The Inspector of Police,
Ariyoor Police Station,
Vellore District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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