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Crl.O.P.No.5085 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.5085 of 2025

1. V. Sakthivel
2. V. Thirunavukarasu
3. M. Saran
4. D. Muthukrishnan
5. D. Vasu
6. G. Nagooran
7. M. Chandru
8. Mani. C
9. D. Sarathy
10. D. Boobalan
11. V. Aruvel
12. R. Saravanan
13. B. Sakthivel
14. Ajay. J
15. C. Krishnan
16. C. Rajesh

Vs

Petitioner(s)

The State Rep. by
The Inspector of Police,
E-5 Koovathur Police Station,
Koovathur, Chengalpattu District.
(Crime No.17 of 2025).

Respondent(s)



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PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police concerned in Crime No.17 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. M. Venugopal

For Respondent(s) : 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(3) r/w 109 of BNS (Section 147, 148, 294(b), 323, 324, 427, 506 r/w 307 of IPC respectively) in Crime No.17 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, while the defacto complainant was riding his auto near Kadalur Periyakuppam cremation ground, there a wordy quarrel arose between the petitioners and the defacto complainant; that thereafter, the petitioners along with other accused abused the defacto complainant in filthy language and assaulted him using



wooden logs and knife; that they also damaged the defacto complainant's auto and threatened him with dire consequences. Hence, this case.

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3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case; that the petitioners had never committed any offence as alleged by the prosecution; that one of the petitioner had lodged a complaint before the respondent police against the defacto complainant, which was registered in Crime No.16 of 2025; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that due to wordy quarrel between the petitioners and the defacto complainant and his friends, both parties exchanged blows; that there is a case and counter case; and that the investigation is pending, 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) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioners, submissions made by the learned counsels on either side, the fact that there is a case in counter and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 made ready, before **the learned Judicial Magistrate, Thirukazhikundram, Chengalpattu District** on condition that the petitioners shall execute a separate 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 condition that:

[a] the petitioners 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 everyday 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 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].



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SUNDER MOHAN, J.

stn

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

26.02.2025

stn

To

The Inspector of Police,
E-5 Koovathur Police Station,
Koovathur, Chengalpattu District
(Crime No.17 of 2025).

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