

WEB COPY



CrI OP No.5031 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.5031 of 2025

1. Veerakumar @ Veera
 2. Deepa
 3. Vinoth
 4. Kavikumar
- ... Petitioners/accused rank not known

Versus

State rep.by
The Inspector of Police,
Namakkal Police Station,
Namakkal District.
Crime No.83 of 2025.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Cr.No.83 of 2025 on the file of the respondent police.

For petitioners : Mr.W.Camyles Gandhi
For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (CrI.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section, 121, 296(b), 189, 190, 132 and 351(2) of BNS in Crime No.83 of 2025, seeks anticipatory bail.

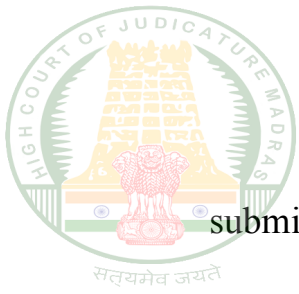


WEB COPY

2. The case of the prosecution is that the defacto complainant is working as a Sub-Inspector of Police; that when he had gone to arrest the first petitioner, who is an accused in Cr.No.38 of 2025, the first petitioner and the other accused namely, the petitioners 2 and 4 had prevented him from discharging his duty and assaulted him and hence, a case was registered against the petitioners.

3. Learned counsel appearing for the petitioners would submit that the allegations are false; that the case in which the first petitioner was sought to be arrested is a false case; that the first petitioner was subsequently arrested and was released on bail by the learned Magistrate on the same day; that since the first petitioner had lodged a complaint against the police officers alleging commission of offences under SC/ST Act, the instant complaint has been filed against the first petitioner and that petitioners 2 to 4, who are the family members of the first petitioner; and hence, prayed for anticipatory bail.

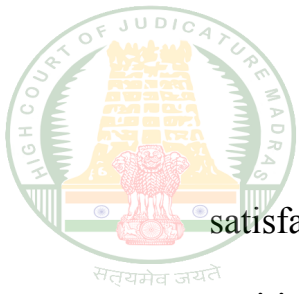
4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions



submitted that the first petitioner had several previous cases and fairly conceded that in nine cases he was acquitted and the other cases are pending. He had also confirmed that the first petitioner was arrested in Cr.No.38 of 2025 and released on bail and other cases against him are pending.

5. Considering the aforesaid facts, the nature of the allegations in the instant FIR and the fact that the first petitioner in the earlier case in which the defacto complainant attempted to arrest was subsequently arrested and released on bail, this Court is of the view that custodial interrogation of the petitioners is not required for the investigation and is inclined to grant anticipatory bail to the petitioners.

6. 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 Judicial Magistrate-I, Namakkal*** 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 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 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;

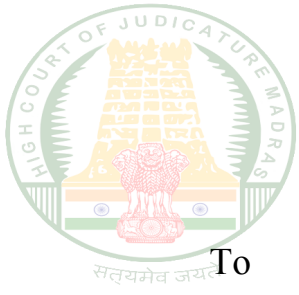
[d] the petitioners shall not abscond either during investigation or trial.

[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 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.

27.02.2025

Vv/ars



CrI OP No.5031 of 2025

To

WEB COPY

1. The Judicial Magistrate-I,
Namakkal
2. The Inspector of Police,
Namakkal Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



CrI OP No.5031 of 2025

SUNDER MOHAN, J.

Vv/ars

CrI.O.P.No.5031 of 2025

27.02.2025