



WEB COPY

Crl.O.P.No.5603 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

Crl.O.P.No.5603 of 2025

1.Vedhaviyan  
2.Deepa  
3.Gunasekaran  
4.Thennarasu  
5.Maveeran

...Petitioners/Accused 2 to 6

Vs.

State rep by  
The Inspector of Police,  
Veppankuppam Police Station,  
Vellore.  
(Crime No.41 of 2025)

...

Respondent

**PRAYER:** This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.41 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.Thirumoorthy.D

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl. Side)



### **ORDER**

This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent police, seeking anticipatory bail in Crime No.41 of 2025 registered for the offence under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 112(1), 351(3) of BNS, 2023.

2.It is the case of the prosecution that there was a property dispute between the petitioners and the defacto complainant; that on 03.02.2025 at about 9.00 a.m., while the defacto complainant and his sons were planting coconut trees in their land, at that time, the petitioners came there and picked up a quarrel with them, which escalated into violence; that the petitioners along with the other accused abused the defacto complainant and his family members in filthy language, assaulted them with knife and aruval and caused injuries and threatened them with dire consequences. Hence, the case.

3.The learned counsel for the petitioners would submit that the allegations are false; that a counter complaint has been lodged against the defacto complainant and his family members which has been registered as Crime No.38 of 2025; that the fight arose with regard to property dispute between A5 therein and the deceased and that the petitioners were also

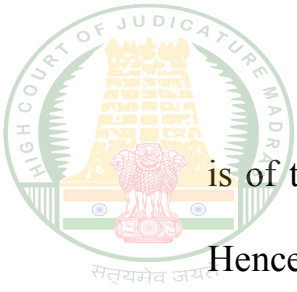


attacked by the defacto complainant and his family members and the petitioners herein also sustained injuries and hence, a case in Crime No.38 of 2025 has been registered at the instance of the petitioners against the defacto complainant and the said complaint is also pending investigation and in any case, considering the period of incarceration, the petitioners may be granted anticipatory bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and confirmed the fact that a counter case was filed by the petitioners against the defacto complainant and further confirmed that the petitioners had sustained injuries.

5.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6.Considering the nature of the dispute between the family members, the fact that there is a counter case registered against the defacto complainant, the nature of overt acts attributed to the petitioners, this Court



is of the view that custodial interrogation of the petitioners is not required.

Hence, 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 of receipt of copy of this order, before the learned Judicial Magistrate – III, Vellore, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 said Magistrate, on further condition that:

[a] 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 1, 3 and 5 shall stay at Tiruvannamalai and report before the Tiruvannamalai Town Police Station everyday at 10.30 a.m., until further orders and the petitioners 2 and 4 shall report**



**before the respondent Police as and when required for interrogation.**

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

[d] the petitioners shall not tamper with evidence or witness 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 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 B.N.S.

28.02.2025

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**SUNDER MOHAN, J.**

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Copy to:

1. The Inspector of Police,  
Veppankuppam Police Station,  
Vellore.



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2.The Judicial Magistrate – III, Vellore.

3.The Public Prosecutor,  
High Court, Madras.

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