



WEB COPY

CRL OP No. 6191 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6191 of 2025

1.SIVASANKAR

S/o. Thangavel, No.1/73-J,
Chinnapappanuthu, Udumalpet,
Tiruppur District.

2.Sabari @ Dinesh Kumar

Petitioner(s)

Vs

The State Rep.By, The Inspector Of
Police,
Dhally Police Station, Tiruppur District.
(Crime No.31 of 2025)

Respondent(s)

CRL OP No. 6191 of 2025

PRAYER

To enlarge the Petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.31 of 2025 on the file of the respondent

CRL OP No. 6191 of 2025

For Petitioner(s): Mr.Narayana Prasadh

For Respondent(s): Mr. S. Santhosh, Govt. Advocate



ORDER

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2. The case of the prosecution is that, there was a previous enmity between the defacto complainant and the first petitioner/A1; that both the petitioners / A1 & A3 and other accused/ A2 are employees of the TASMACH; that on 24.02.2025, near the TASMACH Shop, the petitioners attacked the defacto complainant with bear bottle and thus, committed the aforesaid offence.

3. Learned counsel appearing for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case and in any case, the custodial interrogation of the petitioners is not required. Therefore, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the first petitioner/A1 has one POCSO case and the second petitioner/A3 has no previous case. It is further submitted that it is a case and case in counter and the injured has been discharged from the hospital.

5. Considering the nature of allegations and the injured is discharged from the hospital and there is a case and counter case, this court is of the view that the custodial interrogation of the petitioners is not required. Hence, this Court 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 Court No-II, Udumalpet*** 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 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 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 as and when required for interrogation.

[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 petitioner 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



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Kerala [(2005)AIR SCW 5560].

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

05-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

AT

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To

1. The State Rep. By, The Inspector Of
Police,
Dhally Police Station, Tiruppur District.
(Crime No.31 of 2025)

Crl. O.P. No. 6191 of 2025