



Crl.OP.No.7083 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 12.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7083 of 2025

1. Divakaran

2. Ramu

... Petitioners /Accused

Vs.

The Inspector of Police,
Ambur Taluk Police Station,
Ambur, Tirupattur (District),
Crime No.38 of 2025

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of the arrest by the respondent police in Crime No.38 of 2025 on the file of the Inspector of Police, Ambur Police Station, Tirupattur District.

For petitioner : Mr.S.Pachaiyappan

For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS (Sections 294(b), 323, 324 and 506(2) of IPC) in Crime



No.38 of 2025, seek anticipatory bail.

WEB COPY

2. The case of the prosecution is that on account of prior enmity, the petitioners attacked the defacto complainant and abused him in filthy language.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that injured have been discharged from the hospital; that there is no previous case against the petitioner.

5. Considering the nature of allegations, the fact that the injured has been discharged from the hospital, 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.

WEB COPY

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate, Ambur**, on condition that the petitioner shall execute a bond 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 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 appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or



WEB COPY



CrI.OP.No.7083 of 2025

witness either during investigation or trial;

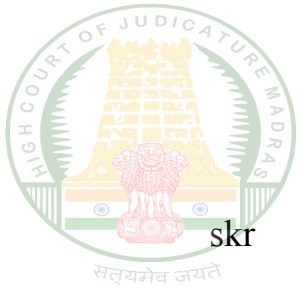
[d] the petitioners shall not abscond either during investigation or trial.

[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 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.**

12.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No



CrI.OP.No.7083 of 2025

WEB COPY

To

1. The Inspector of Police,
Ambur Taluk Police Station,
Ambur, Tirupattur (District),
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Judicial Magistrate, Ambur



WEB COPY



CrI.OP.No.7083 of 2025

SUNDER MOHAN, J.

skr

CrI.OP.No.7083 of 2025



WEB COPY



CrI.OP.No.7083 of 2025

12.03.2025