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Crl.OP.No.7095 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7095 of 2025

1. Elango
2. Subash Alias Subash Chandra Bose ... Petitioners /Accused

Vs.

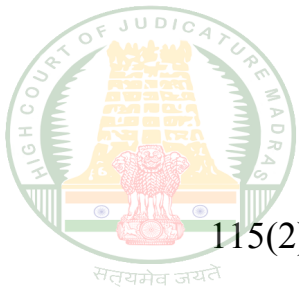
State by:
Sub-Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District. ... Respondent/ Complainant
Crime No.92 of 2025

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant of anticipatory bail to the petitioners in the event of the arrest of the petitioners by police for the reasons staed in the petition, in connection with the case in Crime No.92 of 2025 on the file of the respondent police.

For petitioners : Mr.A.Anbharasu
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 191(2), 191(3), 296(b),



115(2) and 109(1) of BNS, 2023, in Crime No.81 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that on account of prior enmity, the petitioners attacked the defacto complainant with knife 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 has been discharged from the hospital; that there is one previous case against the petitioner and he is on bail in that case.

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



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petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Cheyyar**, 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 reside at **Chennai** and shall appear before the **C1 Flower Bazaar Police Station** daily at **10.30 a.m.**, until further orders.



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[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 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.**

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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- To
1. Sub-Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Judicial Magistrate, Cheyyar.



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SUNDER MOHAN, J.

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