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Crl.O.P.No.7435 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7435 of 2025

1. Sasi Kumar
2. Thavithu
3. Daniel @ Babu
4. Sankar
5. Geetha

... Petitioners

Vs.

State rep by
The Inspector of Police,
Virudampat Police Station
Vellore District.
(Crime No.19 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on bail in Crime No.19 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mrs.Pavithra Priyadarshini.A
For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1) and 351 (3) of BNS 2023 in Crime No.19 of 2025, seeks anticipatory bail.

3. The case of the prosecution is that the petitioners and the defacto complainant had a land dispute, due to which the petitioners abused the defacto complainant in filthy language and attacked the defacto complainant with hands due to which defacto complainant sustained injuries, admitted in the hospital and discharged.

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

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there are no previous cases against the petitioners and the defacto complainant has been discharged from the hospital.



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6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7. 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.

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 on which the order copy is made ready, before the **learned Judicial Magistrate No.III, Vellore**, on condition that the petitioner shall execute a bond 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



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stand dismissed and on further condition that:

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[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 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 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.

14.03.2025

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1. The Inspector of Police,
Virudampat Police Station
Vellore District.

2. The **learned Judicial Magistrate No.III,**
Vellore,

3. The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.



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