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Crl.OP.No.7695 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7695 of 2025

1. Meenatchi
2. Nagappan @ Navappan
3. Suresh ... Petitioner(s) /Accused

Vs.

State by,
The Inspector of Police,
Periyathatchur Police Station,
Villupuram District. ... Respondent(s)/ Complainant
Crime No.26 of 2025.

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.26 of 2025, on the file of the Inspector of Police, Periyathatchur Police Station, Villupuram District.

For petitioner(s) : Mr.S.Silambu Selvan

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



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296, 329(4), 115(2), 351(2) of BNS, 2023, (under Sections 294, 448, 323 and 506 of IPC) r/w Section 4 of TNPHW Act, r/w Section 92 of the Rights of Persons with Disabilities Act, 2016, in Crime No.26 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners assaulted the defacto complainant and abused her 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 that the petitioners have no bad antecedents.



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5. Considering the nature of allegations, the fact that no injuries were sustained by the defacto complainant, 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.

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 **Judicial Magistrate No.2, Tindivanam**, 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.



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[b] the petitioners shall appear 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;

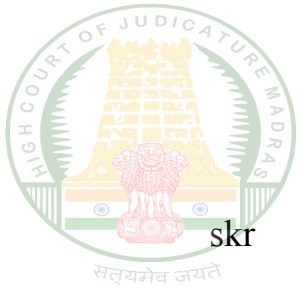
[d] the petitioners shall not abscond either during investigation or trial.

[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 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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1. The Inspector of Police,
Periyathatchur Police Station,
Villupuram District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Judicial Magistrate No.2, Tindivanam.



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SUNDER MOHAN, J.

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