



WEB COPY



Crl.OP.No.7765 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7765 of 2025

1. Josephraj
2. Arokkiyajayaseelan
3. Lenin Anthonyraj ... Petitioner(s) /Accused

Vs.

State rep. by
Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District. ... Respondent(s)/ Complainant
Crime No.677 of 2024

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioners, in the event of their arrest, concerned in Crime No.677 of 2024, on the file of the respondent police.

For petitioner(s) : Mr.M.Shimiyon Edwin

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



Crl.OP.No.7765 of 2025

WEB COPY

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), 74, 303(2), 351(2) and 351(3) of BNS, 2023 (294(b), 323, 324, 354, 379 and 506(ii) of IPC) in Crime No.677 of 2024, seek anticipatory bail.

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 has been discharged from the hospital; and that the petitioners have no bad antecedents.

5. Considering the nature of allegations, the fact that the injured has been discharged from the hospital; the petitioners have no bad antecedents and since, custodial interrogation of the petitioner 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 , Sankarapuram**, 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:



WEB COPY



Crl.OP.No.7765 of 2025

[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 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



WEB COPY



Crl.OP.No.7765 of 2025

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.

17.03.2025

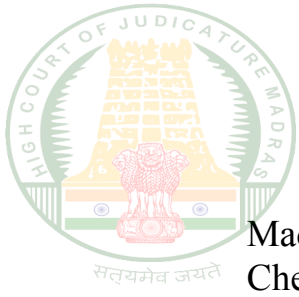
Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.

2. The Public Prosecutor,

Page No.5 of 7



Madras High Court,
Chennai.

WEB COPY

3. Judicial Magistrate , Sankarapuram



Crl.OP.No.7765 of 2025

SUNDER MOHAN, J.

skr

Crl.OP.No.7765 of 2025



WEB COPY



Crl.OP.No.7765 of 2025

17.03.2025