



Crl.OP.No.7890 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7890 of 2025

1.Vijaya

2.Achulingam (a) Achalingam

3.Avin

4.Arivin (a) Aravinth

.. Petitioners

Vs.

The State rep by
The Sub-Inspector of Police,
G-5, Chunambedu Police Station,
Chengalpet District.
(Crime No.63 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest in Crime No.63 of 2025 on the file of the respondent
Police.

For Petitioners : M/s.R.Sivanathan

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



WEB COPY

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(1), 351(3) BNS r/w Section 4 of TNPHW Act in Crime No.63 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on account of prior enmity, the petitioners attacked the defacto complainant and her in-laws and abused them 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 the injured has been discharged from the hospital.

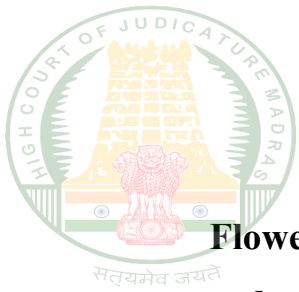
WEB COPY

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.

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 **District Munisf cum Judicial Magistrate, Cheyyur** on condition that the petitioners 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 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 stay at Chennai and report before the C1



CrI.OP.No.7890 of 2025

Flower Bazaar Police Station, Chennai, 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.

18.03.2025

Index : Yes / No
Internet : Yes / No
dpa



WEB COPY



CrI.OP.No.7890 of 2025

To

- 1.The Sub-Inspector of Police,
G-5, Chunambedu Police Station,
Chengalpet District.
- 2.The District Munsif cum Judicial Magistrate,
Cheyyur.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY



CrI.OP.No.7890 of 2025

SUNDER MOHAN , J.

dpa

CrI.O.P.No.7890 of 2025