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Crl.O.P.No.7976 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.7976 of 2025

1.Suresh @ Suresh Kumar
S/o. Narayanasamy

2. Ramya
W/o. Suresh @ Sureshkumar

....Petitioners/Accused 1 & 2

Vs

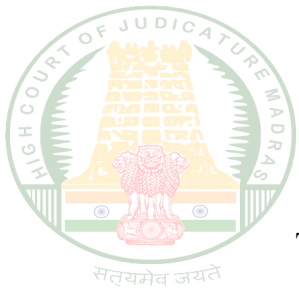
The State Rep. by
The Inspector of Police,
Kandili Police Station,
Thirupathur District.

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police in Crime No.24 of 2025 on the file of the respondent police.

For Petitioners	: Mr. E. Kannadasan
For Respondent	: Mr. S.Balaji 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 226, 132, 126(2), 356(3) of BNS, 2023 and Section 4 of the TNOPD Act (Tamil Nadu Open Places Prevention of Disfigurement Act 1959) (Under Sections 353, 341, 506(ii) of IPC), in Crime No.24 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, on information, the *de facto* complainant found that the petitioners were fixing a banner in front of their house against the District Collector of Thirupathur District and also planning to go on hunger strike; that when the respondent tried to remove the banner, the first petitioner threatened to commit suicide thereby obstructed the traffic for one hour and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioner would submit that the the petitioners are innocent; that the allegations against the petitioners are false; that they have been falsely implicated in this case; that the petitioners are ready to furnish sufficient sureties; and that in any event,



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custodial interrogation of the petitioners is not required and prayed for grant of anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there are some previous cases against the first petitioner.

5. This Court perused the list of previous cases and it is seen that most of the cases are registered for minor offences and on all those cases, he is on bail. Considering the aforesaid facts, the nature of allegations, 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 made ready, before **the learned Judicial Magistrate No.II, Tirupattur**, on condition that each of 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



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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 first petitioner shall report before the respondent police daily at 10.30. a.m., until further orders and the second petitioner shall report before the respondent police as and when required.

[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



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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

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To

1. The Judicial Magistrate No.II, Tirupattur
2. The Inspector of Police,
Kandili Police Station,
Thirupathur District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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