



CRL O.P. No.8246 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 27.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8246 of 2025

1. Kumaran S/o. Ramu
2. Anthony S/o. Chinnakutti ... Petitioners / Accused

Vs

State rep. by:-

The Inspector of Police,
Madipakkam Police Station,
Chennai District. ... Respondent
[Cr. No.69 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in
Crime No.69 of 2025 on the file of the respondent police.

For Petitioner : Mr. Anbu Selvan

For Respondent : Mr. S. Balaji
Government Advocate
[Criminal side]

ORDER



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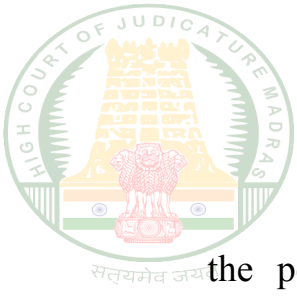
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The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offence punishable under Sections 296(b), 118(1) and 351(3) of B.N.S. and Section 3 of Tamil Nadu Public Property (Prevention of Damages & Loss) Act in connection with the case in Crime No.69 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and other accused abused the defacto complainant in filthy language, assaulted him, caused injuries and damaged the hotel properties.

3. Learned counsel for the petitioners would contend that the allegations against the petitioners are false; and that in any case, custodial interrogation of the petitioners is not required and hence prayed for grant of anticipatory bail to the petitioners. The learned counsel further submitted that the petitioners are ready and willing to deposit an amount of Rs.10,000/- each, without prejudice to their defense and contention.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to



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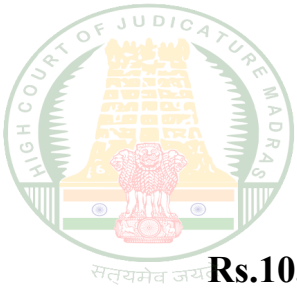
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the petitioners, reiterated the prosecution case and on instructions, submitted that the petitioners have no bad antecedents.

5. On considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten thousand only) each to the credit of Cr. No.69 of 2025, without prejudice to their rights and contentions before the trial Court. Merely because the petitioners deposit the said amount, it would not amount to admission of their guilt. Therefore, it is open to the trial Court to deal with the case independently.

7. Considering the nature of allegations, the fact that the petitioners have no bad antecedents and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on 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 of receipt of a copy of this order and on deposit of



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Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Cr.

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No.69 of 2025 on the file of respondent police before the learned **Judicial Magistrate-II, Alandur, Chengalpattu District** on condition that the petitioners shall each execute a separate 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 conditions 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 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



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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]; and

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

27.03.2025

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mjs

SUNDER MOHAN. J.,

mjs

To

- 1.The Judicial Magistrate-II, Alandur, Chengalpattu District.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Madipakkam Police Station, Chennai District.

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