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CRL OP NO.8445 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.03.2025**

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8445 of 2025

1. Vignesh
2. Gopi
3. Venkatesan
4. Pichaikaran @ Parthiban
5. Ashokan @ Ashokumar
6. Semmoonchi @ Vijayan
7. Rajkumar

Petitioners/A1 to A7

Vs

The State Rep By
The Inspector of Police
Virinchipuram Police Station,
Vellore District.
(Crime No.55 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on
anticipatory bail in the event of arrest in Crime No. 55 of 2025 pending on
the file of the respondent police.

For petitioners	:	Mr.Balamanikandan Ganesan
For Respondent	:	Mr.S.Santhosh, Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 191(2), 296(b), 118(1),



309(4) and 351(3) of the BNS Act, in Crime No.55 of 2025, on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that, during a temple festival, the petitioners/A1 to A7 assaulted the de facto complainant, viz., the first petitioner/A1 attacked him with a knife, robbed his gold chain worth 5 sovereigns and mobile phone, the second petitioner/A2 attacked him with an iron rod and the other petitioners 3 to 7/A3 to A7 attacked him with hands.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent; they have been falsely implicated in this case; that the petitioners have no bad antecedents and in any case, custodial interrogation of the petitioners is not required and prayed 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



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submitted that the injured was discharged from the hospital, that the first petitioner/A1 had assaulted the victim with a knife, the second petitioner/A2 was arrested and the petitioners 3 to 7/ A3 to A7 were implicated on the confession of the co-accused/A1, that the properties were not recovered.

5. At this juncture, the learned counsel for the petitioner submitted that he may be permitted to withdraw this petition, in so far as the first petitioner/A1 is concerned and hence, this petition is dismissed as withdrawn. Since the second petitioner/A2 has already been arrested, his petition has become infructuous and hence, in so far as the second petitioner/A2 is concerned, this petition is dismissed as infructuous.

6. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the petitioners 3 to 7/A3 to A7 have no bad antecedents, the petitioners 3 to 7/ A3 to A7 are sought to be implicated on the confession of the co-accused/A1 and since, custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioners 3 to 7/ A3 to A7 with certain conditions.



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7. Accordingly, the petitioners 3 to 7 / A3 to A7 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.IV, Vellore**, on condition that the petitioners shall 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 3 to 7/ A3 to A7 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 3 to 7/ A3 to A7 shall report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the petitioners 3 to 7 / A3 to A7 shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners 3 to 7/ A3 to A7 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 of B.N.S.

21.03.2025

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Note: Issue order copy today



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SUNDER MOHAN, J.
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To:

1. The Inspector of Police
Virinchipuram Police Station,
Vellore District.
2. The Judicial Magistrate No.IV,
Vellore
3. The Public Prosecutor,
High Court Madras.

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