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Crl O.P.No.9091 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.04.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.9091 of 2025

1. Mala Selvakumar
2. Vaidehi
3. Uma Maheswari
4. Deepthi

petitioners/ A1,A2, A4 & A5

Vs

The State Rep by,
The Inspector of Police,
T-14, Pallikarnai Police Station,
Tambaram City, Chennai.
(Crime No.181 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. 181 of 2025 pending
on the file of the respondent police.

For petitioners : M/s. Ganeshkumar S

For Respondent : Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 189(2) and
351(1) of the BNS r/w Section 4(1) of the Tamil Nadu Open Places
(Prevention of Disfigurement) Act, 1959 in Crime No.181 of 2025, on
the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners, along with the others, assembled unlawfully and affixed the photographs of the Chief Minister of Tamil Nadu in the grill of the TASMACH shop and raised slogans against the Chief Minister and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they undertake not to protest in such a manner; and in any case, custodial interrogation of the petitioners is not required and sought anticipatory bail.

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.

5. In view of the above said submissions, considering the nature of the allegations, the undertaking of the petitioners, this Court is of the view that custodial interrogation of the petitioners is not required.



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Hence, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 of receipt of a copy of this order, before the **learned Judicial Magistrate No.II, Alandur** 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 said Magistrate, 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 report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or



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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 of B.N.S.

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To,

1. The Inspector of Police,
T-14, Pallikarnai Police Station,
Chennai.
2. The Judicial Magistrate No.II, Alandur
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

vca

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