



CRL O.P. No.9198 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

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1. Dhanasekar S/o. Munuswamy
2. Vasanth @ Vasanth Kumar S/o. Murthi
3. Aanandhan S/o. Munuswamy
4. Poornima W/o. Dhanasekar and
5. Anitha W/o. Suman ... Petitioners / Accused 1-5

Vs

State rep. by:-

The Sub-Inspector of Police,
Gudiyatham Town Police Station,
Vellore District. ... Respondent
[Cr. No.89 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.89 of 2025 on the file of the respondent police.

For Petitioners : Mr.T. Muruganantham

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

ORDER



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The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 296(b), 115(2), 118(1) and 351(2) of B.N.S. in connection with the case in Crime No.89 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners entered into the house of the defacto complainant, attacked and abused him.

3. Learned counsel for the petitioners would contend that the allegations against the petitioners are false; that in fact, the defacto complainant, who is the husband of the 5th petitioner herein, developed illicit relationship with a lady and when the same was questioned and objected by the 2nd petitioner herein, who is the brother-in-law of the defacto complainant, he has falsely lodged the instant complaint; that the defacto complainant misbehaved with A4, wife of A2; and that in any case, custodial interrogation of the petitioners is not required and hence prayed to grant anticipatory bail to the petitioners.

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



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the petitioners, reiterated the prosecution case and on instructions, submitted that the parties are closely related to each other.

5. Considering the aforesaid facts, the nature of allegations against the petitioners, the fact that the petitioners and the defacto complainant are relatives, the 5th petitioner is the wife of the defacto complainant 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.

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, Gudiyatham** 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



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petition for anticipatory bail shall stand dismissed and on further conditions that:

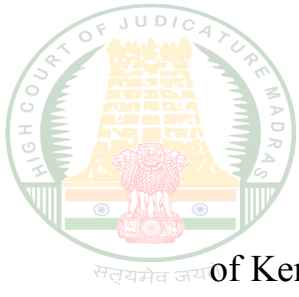
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners 1 to 3 shall report before the respondent police everyday at 10.30 a.m., until further orders; the petitioners 4 and 5 shall appear before the respondent police as and when required for interrogation;

[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



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of Kerala [(2005)AIR SCW 5560]; and
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[f] If the accused thereafter abscond, a fresh FIR can be registered
under Section 269 B.N.S.

27.03.2025

mjs

To

- 1.The Judicial Magistrate, Gudiyatham.
2. The Public Prosecutor, High Court, Madras.
- 3.The Sub-Inspector of Police, Gudiyatham Town Police Station, Vellore District.

SUNDER MOHAN. J.,

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