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Crl.OP.No.9398 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.9398 of 2025

1. Kishore
2. Naresh @Nareshkumar
3. Aakash @Akkashkumar
4. R.Bharath
5. V.Barath
6. Naveenkumar

... Petitioner(s) /Accused 1 to 6

Vs.

State represented by
The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
(Crime No.110 of 2025)

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event on their arrest by the respondent police in Crime No.110 of 2025 on the file of the respondent police.

For petitioner(s) : Mr.J.Pradeep

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Crl.Side)



ORDER

WEB COPY The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(1), 351(2) of BNS Act r/w Section 4 of TNPHW Act and Sections 48(2)(4) and Section 3 of Tamil Nadu Medicare Service Persons and Medicare Service Institutions (PVDP) Act, 2008 in Crime No.110 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, since the sixth petitioner, who was in an inebriated condition, was not allowed to see her sister, admitted in the Hospital for delivery, he along with the other accused, abused the Hospital staff and attacked them and thus committed the aforesaid offences.

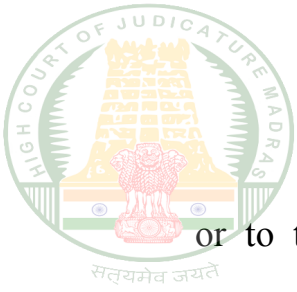
3. The learned counsel appearing for the petitioners would submit the allegations against the petitioners are false; that the petitioners were not involved in the said offence; that a false complaint has been lodged against the petitioners; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioners.



WEB COPY 4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and, on instructions, submitted that there are no previous cases against the petitioner.

5. Taking note of the facts and circumstances of the case, considering, the nature of allegation against the petitioners, submissions made by the learned counsels on either side, the fact that the petitioners have no previous case 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, Hosur**, 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 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 petitioners shall appear 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 trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



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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 abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

28.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
dpa

To

1. The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. The Judicial Magistrate No.II,
Hosur.



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SUNDER MOHAN, J.

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