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Crl OP No.9695 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9695 of 2025

1.Chinarasu
2.Mathankumar
3.Logesh
4.Manikandan

Petitioners

Vs

State Rep By
The Inspector of police,
Moranam Police Station
Tiruvannamalai District.
Crime No. 40 of 2025

Respondent(s)

For Petitioners:

Mr.E.Gopalakrishnan

For Respondent(s):

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 296(b), 115(2), 308(2), 311 and 351(3) of BNS, in Crime No.40 of 2025, on the file of the respondent police, seek anticipatory bail.



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2.The case of the prosecution is that, due to previous enmity, there was a wordy quarrel between the petitioners and the defacto complainant, for which, the petitioners assaulted the defacto complainant and snatched a sum of Rs.3,700/- and one sovereign gold chain from the defacto complainant. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons, and due to previous enmity, the petitioners have been falsely implicated in this case; that the petitioners and the complainant are known to each other; and that the custodial interrogation of the petitioners is not necessary in this case and hence, prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that the injured was discharged from the hospital.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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6. Considering the nature of dispute; that the injured was discharged from the hospital and the fact that 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 subject to the following 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, before the **Judicial Magistrate, Cheyyar Court**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each 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 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



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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 abscond either during investigation or trial;

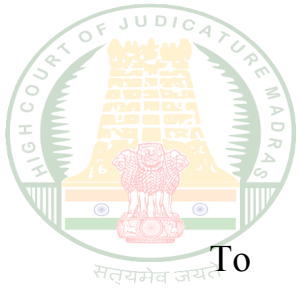
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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*** reported in [(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

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SUNDER MOHAN, J.

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