



WEB COPY



CRL OP NO.9670 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.9670 of 2025

1. S Anandha Kumar
2. S Sanjay
3. R Surjith
4. R Kamalesh
5. N Kumaran

petitioners

Vs

State Rep By,
The Inspector Of Police
J 13, Taramani Police Station,
Chennai.
(Cr.No 60 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. 60 of 2025 pending
on the file of the respondent police.

For petitioners : Mr.R Thirumoorthy
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 121(1),
127(2), 191(2), 296(b) and 351(2) of the BNS Act Crime No. 60 of 2025,
on the file of the respondent police, seek anticipatory bail.



CRL OP NO.9670 of 2025

WEB COPY

2. The case of the prosecution is that the de facto complainant, who was on duty at a College, had assembled and forcibly entered into the college; that they tried to meet the principal of the said college in respect of the complaint of sexual harassment given by the girl student; that they abused the de facto complainant and prevented him from performing his duties.

3. The learned counsel appearing for the petitioners submitted that the petitioners entered into the college only to seek justice for the victim girl who was subjected to sexual harassment; that the petitioners are falsely implicated in this case 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 and on instructions submitted that de facto complainant/the Sub Inspector was abused by the petitioners and he was prevented from discharging his duties; that they forcibly entered into the college premises.



CRL OP NO.9670 of 2025

WEB COPY 5. Taking note of the facts and circumstances of the case, the nature of the allegations, submissions made by the learned counsels on either side, the petitioners have no bad antecedents, and since, custodial interrogation 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 XVIII Metropolitan Magistrate Court, Saidapet** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



WEB COPY



CRL OP NO.9670 of 2025

[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 every day in the evening at 06:30 p.m., and thereafter, as and when required.

[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 of Kerala [(2005)AIR SCW 5560].



WEB COPY



CRL OP NO.9670 of 2025

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

02.04.2025

vca



WEB COPY



CRL OP NO.9670 of 2025

SUNDER MOHAN, J.
vca

To:

1. The Inspector Of Police
J 13, Taramani Police Station,
Chennai.
2. The XVIII Metropolitan Magistrate
Court, Saidapet.
3. The Public Prosecutor,
High Court Madras.

CRL OP NO.9670 of 2025



WEB COPY



CRL OP NO.9670 of 2025

02.04.2025