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Crl.O.P.No.10496 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

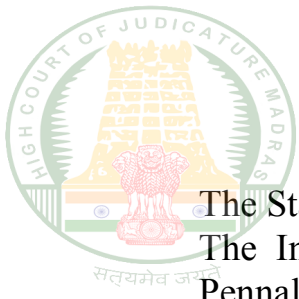
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.10496 of 2025

1. Elumalai
S/o. Kannayiram
2. Dillibabu @ Babu
S/o. Elumalai
3. Dhatchayani
W/o. Ramadoss
4. Jagan @ Jagannathan
S/o. Ramadoss
5. Kanagavalli
W/o. Kanniappan
6. Thulasiraman
S/o. Kanniappan Munusamy Reddy
7. Saratha @ Saroja
W/o. Santhanam
8. Karthick
S/o. Santhanam

....Petitioners/A2 to A7, A9 & A10

Vs



Crl.O.P.No.10496 of 2025

The State Rep. by
The Inspector of Police,
Pennalurpet Police Station
Tiruvallur District
(Crime No.59 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest **in Crime No.59 of 2025**, pending on the file of the respondent police.

For Petitioners	: Mr. P.D. Dillibabu
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 126(2), 191(2), 191(3), 296(b), 115(2), 118(1), 351 (2) of BNS Act (Sections 340, 147, 148, 294(b), 323, 326 and 506(2) of IPC) and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.59 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that on 16.03.2025, the petitioners and the other accused, due to previous enmity, attacked the *de facto* complainant's son using wooden logs and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioners would submit that the allegations are false; that the petitioners have not committed any offence and that the petitioners are ready to furnish solvent sureties and to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been treated as outpatient; that the petitioners have no bad antecedent and that there is a counter case against the *de facto* complainant.

5. Considering, the nature of allegations, that the injured has been treated as outpatient; that there is a counter case against the *de facto* complainant and that the petitioners have no bad antecedent, 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 District Munsif cum Judicial Magistrate, Uthukkottai**, on condition that each of the petitioner 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.



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[b] the petitioners shall report 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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

08.04.2025

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SUNDER MOHAN, J.

bga

To

1. The District Munsif cum Judicial Magistrate, Uthukkottai
2. The Inspector of Police,
Pennalurpet Police Station
Tiruvallur District
3. The Public Prosecutor, High Court, Madras

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