

CrI.O.P.No.10932 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10932 of 2025

1.M.Lokeshwaran
2.M.Suresh

Petitioners

Vs

The State represented by
The Inspector of Police,
J-1, Saidapet Police Station,
Chennai – 600 015.
(Cr.No.109 of 2025)

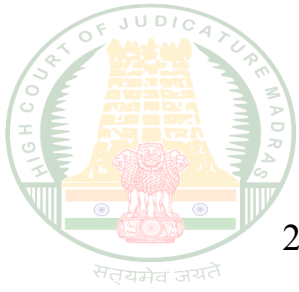
Respondent

For Petitioners: Mr.D.Jaiganesh

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 115(2) and 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.109 of 2025, on the file of the respondent Police, seeks anticipatory bail.



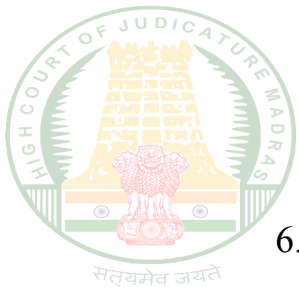
2. The case of the prosecution is that there was a dispute between

the petitioners and the defacto complainant regarding the parking of a vehicle; that there was a wordy quarrel, during which, the petitioners abused and attacked the defacto complainant with hands and also threatened with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; that the petitioners and the defacto complainant are all relatives; and in any case, the custodial interrogation of the petitioners are not required and sought anticipatory bail for the petitioners.

4. Learned Government Advocate (Criminal 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 there was no injuries to the defacto complainant and that the petitioners have no bad antecedents.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.



6. Considering the nature of allegations, the petitioners have no bad antecedents; 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.

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 on which the order copy made ready, before the learned **IX Metropolitan Magistrate Court, Saidapet, Chennai**, 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:

[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 petitioner 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

1. The Inspector of Police,
J-1, Saidapet Police Station,
Chennai – 600 015.

2.The Public Prosecutor,
High Court, Madras.

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