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CrI.O.P.No.10927 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.10927 of 2025

1.Periyasamy
2.Sarangabani

... Petitioners

Vs.

State, Rep. by Inspector of Police
Mangalam Police Station,
Thiruvannamalai District.
(Crime No.96 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest in Crime No.96 of 2025, on the file of the respondent Police.

For Petitioners : Mr.K.Karuppaiya Mooppanar

For Respondent : Mr.S.Balaji

Government Advocate (CrI.Side)

ORDER

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS in Crime No.96 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the defacto complainant, who is a DJ, conducted a music programme in a public place, for which, the petitioners along with other accused persons, abused him in filthy language and damaged the DJ sound equipment. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the petitioners have been falsely implicated in this case; and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the petitioners had damaged the DJ sound worth about Rs.40,000/-; that the first petitioner has two previous cases, and the second petitioner has one previous case, and that the petitioners are on bail in those cases.

5. At this juncture, the learned counsel for the petitioners submitted that the petitioners, without prejudice to their defense and



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contention, is ready and willing to deposit an amount of Rs.15,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioners.

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

7. Considering the nature of allegations; the fact that the petitioners are on bail in the previous cases; the petitioners are willing to deposit an amount of Rs.15,000/- as non-refundable deposit to any welfare scheme; and since custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are directed to make a non-refundable deposit of **Rs.15,000/- [Rupees Fifteen Thousand Only]** jointly to the credit of Crime No.96 of 2025, without prejudice to his rights and contentions before the trial Court, on such deposit and



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production of proof, 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 copy of this order, before the **learned Judicial Magistrate No.II, Tiruvannamalai District**, on condition that the petitioners shall execute a separate bond for 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 said Magistrate, 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 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



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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.

15.04.2025

drl

To

1.The Inspector of Police
Mangalam Police Station,
Thiruvannamalai District.

2.The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.
drl

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