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CrI.O.P.No.13200 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13200 of 2025

1.Stalin
2.Vellaiyan @ Kalaiyarasan @ Kalaiselvan
3.Selladurai
4.Venkatesan
5.Jayasurya @ Sathish
6.Karuppaiya

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Veeraganur Police Station,
Salem District.
(Crime No.44 of 2025)

Respondent(s)

For Petitioner(s) : Mr.Surya Prakash

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

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.44 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 118(1) and 351(3) of BNS, in Crime No.44 of 2025, on the file of the respondent Police,



seeks anticipatory bail.

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2. The case of the prosecution is that on account of prior enmity, the petitioners abused and attacked the defacto complainant with a beer bottle and caused injuries to him. Hence, the case.

3. Learned counsel appearing for the petitioners would submit that the petitioner have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case; that the petitioners had also lodged a complaint against the de facto complainant in Crime No.43 of 2025 and in any case, the custodial interrogation of the petitioners is not required and sought for anticipatory bail to 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 it is a case and a case in counter; that the injured has been discharged from the hospital; and that the first petitioner has four previous cases registered in the year 2021, and he is on bail in those cases and the other 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.

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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, the fact that there is a counter case, the injured has been discharged from the hospital, the first petitioner is on bail in previous cases and the other 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.

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 **Judicial Magistrate No.I, Athur**, 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.

drl

29-04-2025

To



Crl.O.P.No.13200 of 2025

1. The Inspector of Police,
Veeraganur Police Station,
Salem District.
2. The Public Prosecutor,
High Court, Madras.

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