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Crl.O.P.No.13341 of 2025

0IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13341 of 2025

1.Sathiyaraj
2.Ezhilarasan
3.Sivaprakasam

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.144 of 2025)

Respondent(s)

For Petitioner(s) : Mr.G.Ilamurugu

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

For Intervener : Mr.T.Gopinath

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.144 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 189(2), 296(b), 115(2), 118(2) and 351(3) of



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BNS, in Crime No.144 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on account of prior enmity, on the date of occurrence, there was a wordy quarrel between the petitioners and the defacto complainant regarding the collection of money for the temple consecration ceremony, due to which, the petitioners along with others attacked the defacto complainant with a wooden stick. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the petitioners have not committed any offence as alleged in the FIR; that the petitioners had also lodged a complaint against the defacto complainant and in any case, the custodial interrogation of the petitioners are not required and sought anticipatory bail for the petitioners.

4. Learned counsel for the Intervener vehemently opposes the grant of anticipatory bail to the petitioners, since he was brutally attacked by them.

5. 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



petitioners have no bad antecedents.

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6. 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.

7. Considering the nature of allegations, the fact that there is a counter case, the injured has been discharged from the hospital, 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.

8. 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 Court, Kunnam**, 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:



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[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 stay at Chennai and report before the B2 Esplanade Police Station, Chennai, 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,
Kunnam Police Station,
Perambalur District.

2. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.

drl

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