



Crl.O.P.No.15132 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15132 of 2025

1.Sakthivel

2.Kalaiyaran

... petitioners

Vs.

State rep. by

Inspector of Police

Vriddhachalam Police Station,

Cuddalore district

Crime No. 245 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Cr.P.C & 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in Crime No.245 of 2025 on the file of the Respondent police.

For petitioners : Mr.K.Muruganandham

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(B), 115(1), 118(2), 351(3) of BNS in Crime No.245 of 2025, seeks anticipatory bail.



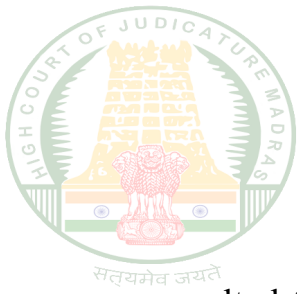
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2. The case of the prosecution is that due to wordy quarrel between the petitioners and the defacto complainant, regarding money dispute, for which the petitioners abused and assaulted the defacto complainant causing injuries to him. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that petitioners A1 & A2 are brothers and A3 is the wife of A1 and A4 is the mother of the petitioners. A1 is said to have borrowed loan of Rs.6,00,000/- from the defacto complainant. He further submitted that the petitioners have repaid the entire amount to the defacto complainant. With regard to repayment of money, still he demanded exorbitant amount from the petitioners due to which wordy quarrel arose between them. The petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the petitioners have abused and



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assaulted the defacto complainant with hands and wooden log causing injuries to him. He further submitted that the injured was discharged from the hospital.

5. Heard both sides and perused the materials available on record.

6 Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and also considering that the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on his executing 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 learned **Judicial Magistrate No.1, Vriddhachalam**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause



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any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.06.2025

gv

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Judicial Magistrate No.1, Vriddhachalam,
2. Inspector of Police
Vriddhachalam Police Station,
Cuddalore district
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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