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Crl.O.P.No.15307 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.05.2025**

CORAM

**THE HON'BLE MR. JUSTICE N.SENTHILKUMAR**

**Crl.O.P.No.15307 of 2025**

1.Vivek

2.Murugan

... Petitioners

-VS-

The State Represented by,  
The Inspector of Police,  
Mathur Police Station,  
Krishnagiri.  
(Crime No.144 of 2025)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail in  
Crime No.144 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.Loganathan

For Respondent : Mr.A.Gopinath,  
Government Advocate (Crl.Side)

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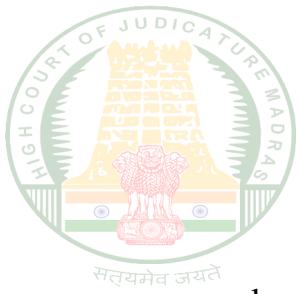
### **ORDER**

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 126(2), 296(b), 118(1), 351(3) of BNS Act, 3 of the Public Property (Prevention of Damage and Loss) Act, 1992 and 4 of the Prohibition of Harassment of Women Act, 2002, in Crime No.144 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 27.04.2025 at around 11 a.m the defacto complainant with his family members traveled in his Tata Nexon Car (TN-AR-8239) towards Athikanur Vanniyarnagar to Poochampalli and on the same way the petitioners / A1 and A2 traveled in their Tata Indica Car (TN24-U-4437) at that time, for riding the car in a proper manner the dispute raised between the defacto complainant and the petitioners / A1 and A2 and it resulted in abuse and assault against the defacto complainant and his family members. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the



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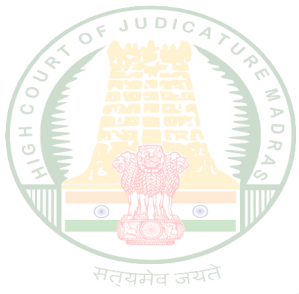
respondent submitted that the petitioners have abused and assaulted the defacto complainant and his family members. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the *learned District Munsif cum Judicial Magistrate Court at Poochampalli*, on condition that the petitioners shall execute 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 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) if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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**(c) the petitioners shall report before the learned District Munsif cum Judicial Magistrate Court at Poochampalli, every Monday to Friday at 10.30 a.m and thereafter report before the respondent every Saturday and Sunday at 10.30 a.m for a period of two weeks until further orders and the petitioner is directed to pay a sum of Rs.1,00,000/- (Rupees One Lakhs only) to the defacto complainant;**

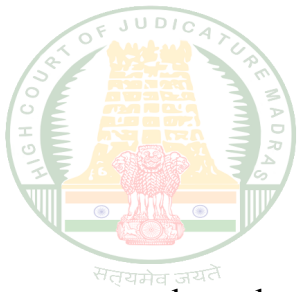
(d) the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall make himself available for interrogation by a Police office as and when required;

(f) 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;

(g) the petitioners shall not abscond either during investigation or trial;

(h) 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 petitioners



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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];

(i) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

**21.05.2025**

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**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.”

**To**

- 1.The learned District Munsif cum Judicial Magistrate Court,  
Poochampalli.
- 2.The Inspector of Police,  
Mathur Police Station,  
Krishnagiri.
- 3.The Public Prosecutor,  
High Court, Madras.



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**N.SENTHILKUMAR,J**

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