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CrI.O.P.No.15377 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-05-2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CRL OP No. 15377 of 2025

1.Ravikumar
2.Jayanthi
3.Ezhumalai
4.Puvan Raj
5.Veeran
6.Alamelu
7.Iyyappan @ Gowtham
8.Karthi

Petitioners

Vs

The State Represented by,
The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
(Crime No.278 of 2025)

Respondent

For Petitioners : Mr.U.Kathiravan

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.278 of 2025 on the file of the Respondent.



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 296(b), 115(2), 324(4), 126(2), 74, 351(2) of BNS, in Crime No.278 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 19.04.2025 at about 11.30 p.m., there was a wordy quarrel between the petitioners and the defacto complainant regarding Magalir loan amount, for which the petitioners along with other persons abused the defacto complainant in filthy language and also assaulted her with iron pipe causing injuries to her. Hence, the case.

3. The contention of the learned counsel appearing for the petitioners submitted that the petitioners are innocent and that they have been falsely implicated in this case. He further submitted that due to previous enmity, a false complaint has been given against the petitioners. He further submitted that the petitioners had also lodged a complaint against the de facto complainant in Crime No.246 of 2025 and he is ready to abide by any conditions that may be imposed by



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this Court. Hence, he prayed for anticipatory bail to the petitioners.

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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 submitted that due to previous enmity with regard to Magalir Kuzhu loan amount, on the date of occurrence, the petitioners trespassed into the house of the defacto complainant to give loan amount, when she was refused, the petitioners threatened the defacto complainant, damaged the household articles worth Rs.2 lakhs, committed theft of Rs.1 ½ sovereigns of gold and Rs.15,000 cash and also assaulted the defacto complainant causing injuries to her. He further submitted that it is a case and case in counter and that the petitioners have no previous case against them.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 a copy of this order, before the learned Judicial Magistrate, Thirukoilur, 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 said Magistrate, 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 any one of identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of 30 days;

[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



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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 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

drl

15-05-2025

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.”

M.NIRMAL KUMAR, J.

drl



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To

1. The Judicial Magistrate,
Thirukoilur.
2. The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

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