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Crl.O.P.No.15484 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.15484 of 2025

1. Sithick @ Sithick Basha,
S/o Sathikbasha

2. Riyas, S/o Kallel

.....Petitioners

Vs.

State rep. by the Inspector of Police,
Vandavasi South Police Station,
Tiruvannamalai District.
(Crime No.10 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of B.N.S.S.,
2023, to enlarge the petitioners on bail in the event of their arrest in Crime
No.10 of 2025 pending investigation on the file the respondent police

For Petitioners : Mr.E.Sathiyaraj Elangovan

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



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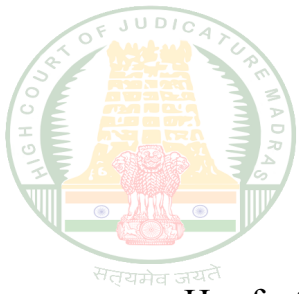
ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 296(b), 115(1), 118(1), 351(3) of BNS Act (Corresponding Sections 147, 148, 294(b), 321, 324, 506 of IPC) in Crime No.101 of 2025, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners along with other accused abused the defacto complainant and attacked him using wooden log and knife, thereby, the defacto complainant sustained injuries and he was admitted to hospital. Hence this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed the offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the co-accused were granted anticipatory bail and Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to previous enmity, the petitioners and other accused attacked the defacto complainant with wooden log and knife.



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He further submitted that he injured was discharged from hospital on 10.05.2025 and he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Taking into consideration the facts and circumstances of the case and also considering the submissions made by the counsels on either side, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, this petition is allowed and the petitioners are ordered to be released on anticipatory 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, Vandavasi, Tiruvannamalai District** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned Magistrate/Judge may obtain a copy of their Aadhar card or



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Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30.a.m. for a period of two weeks.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 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)AIR SCW 51340]*;

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

21.05.2025

mst

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 official website of this Court will be watermarked and will also have a QR code.**



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To

1. The Judicial Magistrate, Vandavasi,
Tiruvannamalai District.
2. The Inspector of Police,
Vandavasi South Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR,J.

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