



Crl.O.P.No.15874 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15874 of 2025 and
Crl.M.P.No.10291 of 2025

1.Arunkumar @ Arun
2.Vishnu

... Petitioners

Vs

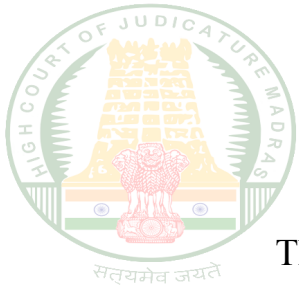
The State represented by its
Inspector of Police,
Thiruthani Police Station,
Thiruvallur District.
Crime No.243 of 2025.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on
anticipatory bail in the vent of their arrest in Crime No.243 of 2025 pending
investigation on the file of the respondent.

For Petitioner	:	Mr.M.Rajinikanth
For Respondent	:	Mr.V.Meganathan, Government Advocate (Criminal Side)
For Intervenor	:	Mr.R.Ramesh

ORDER



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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1) & 351(3) of BNS in Crime No.243 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The learned counsel for the petitioners submitted that when the 1st petitioner was travelling in a bus, he accidentally stamped on the leg of defacto complainant, due to which, there was wordy quarrel and the defacto complainant used abusive words and also assaulted the petitioner. Thereafter, the petitioner informed his friends who came there and in support of the petitioner, they questioned the defacto complainant. This has been projected as though the petitioner called his friends and assaulted the defacto complainant. He further submits that petitioners are innocent persons and they have nothing to do with the alleged offence, hence, prays for anticipatory bail.

3.Learned Government Advocate (Criminal Side) appearing for the respondent Police submits that a quarrel arose between the 1st petitioner and defacto complainant in the running bus, due to which, the 1st petitioner called his friends/other accused who came and assaulted the defacto complainant



brutally. He further submits that the 2nd petitioner/A3 was arrested and remanded to judicial custody.

4.The learned counsel for the defacto complainant/Intervenor submitted that the 1st petitioner/A1 in this case is the main person who wantonly stamped on the leg of defacto complainant in the running bus. The defacto complainant thereafter moved away. Enraged over the same, the 1st petitioner questioned the defacto complainant and called his friends/other accused. Thereafter, all the accused assaulted the defacto complainant in the running bus. Hence, she strongly opposed for anticipatory bail.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the 1st petitioner with certain conditions.

6.Accordingly, the 1st petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruthani on condition that the 1st petitioner 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 said Magistrate, on further condition that:

[a] if the 1st petitioner 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 the identify proofs to ensure their identity;

[c] the 1st petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

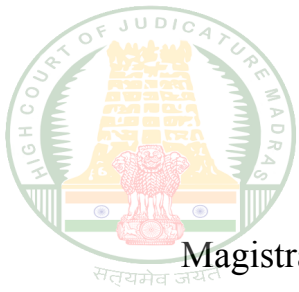
[d] the 1st petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the 1st petitioner shall make himself available for interrogation by a Police officer as and when required;

[f] the 1st petitioner 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 1st petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned



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Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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 5560];

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

7.Since the 2nd petitioner was arrested and remanded to judicial custody, the present Criminal Original Petition is dismissed in so far as the 2nd petitioner is concerned. Crl.M.P.No.10291 of 2025 in Crl.OP.No.15874 of 2025 is ordered.

03.07.2025

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To

1.The Judicial Magistrate,
Thiruthani.

2.The Inspector of Police,
Thiruthani Police Station,
Thiruvallur District.

3.The Public Prosecutor,
Madras High Court.

M.NIRMAL KUMAR, J.

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