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Crl.O.P.Nos.16196, 17382 & 17394 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.16196, 17382 & 17394 of 2025

K.Areef @ Aarish	... Petitioner in Crl.O.P.No.16196 of 2025
Mohammed Fazil	... Petitioner in Crl.O.P.No.17382 of 2025
Anees	... Petitioner in Crl.O.P.No.17394 of 2025

Vs.

The State represented by,
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.

Crime No.97 of 2025	... Respondent in all Crl.O.Ps
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Common Prayer : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Crime No.97 of 2025 pending investigation on the file of respondent Police.

For Petitioner in Crl.O.P.No.16196 of 2025 : Mr.Antony Roche Kamal R

For Petitioner in Crl.O.P.No.17382 of 2025 : Mr.Stalin Natarajan

For Petitioner in Crl.O.P.No.17394 of 2025 : Mr.N.Stalin

For Respondent in all Crl.O.P.Nos.	: Mr.R.Vinothraja Government Advocate (Crl. Side)
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COMMON ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 140(4), 296(b), 115(2), 118(1) & 351(3) of BNS in Crime No.134 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the accused kidnapped the de facto complainant and assaulted him because he was in a relationship with a girl belonging to their religion. Hence the case was registered.

3. The contention of the petitioners is that the petitioners, who are respectively arrayed as A4, A10 and A2, are innocent and they have been falsely implicated in this case. He further submitted that on account of the previous enmity and to take revenge, a false complaint was lodged against the petitioners. However, on instruction, he submitted that without prejudice to defence, the petitioners are prepared to deposit considerable amount to the credit of crime number. Hence, he prayed for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting anticipatory bail to the petitioners.



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

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations, this Court finds that the custodial interrogation of the petitioners is not required, therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners 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 on which the order copy made ready, before the learned **Judicial Magistrate No.VII, Coimbatore**, 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 stands dismissed and on further condition that:

[a] The petitioners, on humanitarian grounds, are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.97 of 2025 and produce the Bank Challan before the Magistrate concerned at the time of executing the bond;



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[b] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[c] 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;

[d] 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;

[e] the petitioners shall not abscond either during investigation or trial and he shall make themselves available for interrogation by a Police Officer as and when required;

[f] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[g] 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;

[h] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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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]**;

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

8. The learned Government Advocate (Criminal Side) through the respondent Police is directed to inform the de facto complainant about the deposit made by the petitioners. The learned Magistrate concerned shall hand over the amount deposited by the petitioners to the de-facto complainant subject to proper identification and acknowledgment.

24.06.2025

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To

1. The Judicial Magistrate No.VII,
Coimbatore.
2. The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



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