



WEB COPY



CrI.O.P.No.16375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16375 of 2025

1.S.Velayutham
2.S.Veerapadiyan
3.Aravindh
4.B.Gopinath
5.Josilan

... Petitioners/A1 to A5

Vs

State Rep. by
Inspector of Police,
Nedungadu Police Station,
Karaikal District.
(Crime No.60 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.60 of 2025 on the file of the respondent police.

For petitioners : Mr.K.Prasath

For Respondent : Mr.A.V.Ramachandramurthy
Additional Public Prosecutor (Puducherry)
Assisted by Mr.A.Alexandar
Government Advocate



CrI.O.P.No.16375 of 2025

WEB COPY

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 191(2), 191(3), 329(4), 296(b), 118(1), 351(2) and 190 of BNS, 2023 (Sec.142, 147, 148, 448, 294(b), 324, 506 and 149 of IPC) in Crime No.60 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was previous enmity between the petitioner and de-facto complainant in fixing the flex banner. On the date of occurrence, the petitioners trespassed into the de-facto complainant's house and abused him in filthy language and assaulted the de-facto complainant and his family members using the knife. Hence, the case.

3.The learned counsel for petitioner submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.



CrI.O.P.No.16375 of 2025

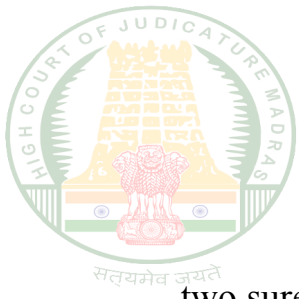
WEB COPY

4. Learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the petitioners and de-facto complainant are same village people, there was previous enmity with regard to fixing the flex banner.

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

6. Considering the submissions made on either side and the nature of allegations, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Karaikal** on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with



CrI.O.P.No.16375 of 2025

WEB COPY

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 fail 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 petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;

[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;



WEB COPY



CrI.O.P.No.16375 of 2025

[e] the petitioners shall make themselves available for interrogation by a Police officer 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, they 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 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.

06.06.2025

rsi

5/6



WEB COPY



Crl.O.P.No.16375 of 2025

M.NIRMAL KUMAR, J.

rsi

To:

1.The Judicial Magistrate No.II,
Karaikal.

2. Inspector of Police,
Nedungadu Police Station,
Karaikal District.

3.The Public Prosecutor,
High Court Madras.

Crl.O.P.No.16375 of 2025

06.06.2025