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CRL OP No. 16581 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16581 of 2025

1. Harish

2. Perarivalan

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police
Gangavalli Police Station,
Salem District. Crime No. 105 of 2025

Respondent(s)

PRAYER

This Criminal Original Petition is filed to enlarge the Petitioners/Accused on Anticipatory bail in the event of their arrest in Crime No. 105 of 2025 on the file of the respondent Police.

For Petitioner(s): Mr.M.Sarathkumar

For Respondent(s): Mr.R.Vinoth Raja GA (Crl. Side)



ORDER

WEB COPY The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS Act in Crime No.105 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 05.05.2025, the petitioner along with other accused involved in a wordy quarrel and assaulted the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submitted that petitioners are ready to abide by any condition for their release. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and on instructions



submitted that the investigation is still pending and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioners are not required, 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 II, Attur, Salem District** on condition that each of 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, and on proof of payment of deposits, failing

which, the petition for anticipatory bail shall stand dismissed and 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 everyday at 10.30 a.m., for a period of two weeks;**

[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;

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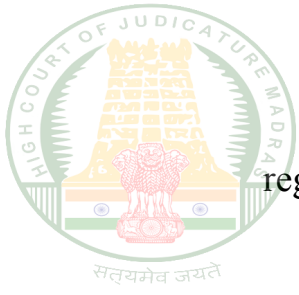
[e] the petitioners shall make themselves available for interrogation by a Police office as and when required;

[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, 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 petitioner 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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Gangavalli Police Station, Salem
District.

2. The Judicial Magistrate-II, Attur
Salem District.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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