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CrI.O.P.No.16707 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

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1.Dhandapani
2.Jagan
3.Lavakumar
4.Sundaraj
5.Jayanthi

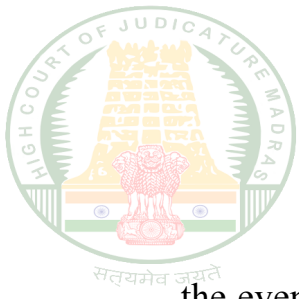
... Petitioners/Accused 1 to 5

Vs.

State rep.by
The Inspector of Police
Gudiyatham Town Police Station
Gudiyatham, Vellore District.
(Crime No.188 of 2025).

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on Bail in



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the event of their arrest in Crime No.188 of 2025 on the file of the Inspector of Police, Gudiyatham Town Police Station, Gudiyatham, Vellore, Vellore District.

For petitioners : Mr.Vinodh Kumar.G

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(2) & 351 (2) of BNS, 2023, in Crime No.188 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant. The petitioners abused the defacto complainant in filthy language and assaulted him and threatened him with dire consequences. Hence, the complaint.



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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and he further submitted that the third petitioner's wife Deepa had lodged a complaint before the respondent police against the defacto complainant and the case in counter has been registered in Crime No.189 of 2025. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners assaulted and abused the defacto complainant in filthy language and threatened him and he further submitted that there is a counter complaint filed by the third petitioner's wife Deepa against the defacto complainant. Therefore, he opposed for granting anticipatory bail to the petitioners.



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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 on either side, 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, Gudiyatham**, 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



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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 three weeks and thereafter, as and when required for further 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;



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[e] the petitioners shall make himself 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 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.

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dna



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To:

1.The Judicial Magistrate, Gudiyatham

2.The Inspector of Police
Gudiyatham Town Police Station
Gudiyatham, Vellore District.
(Crime No.188 of 2025).

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

dna

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