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CrI.O.P.No.17605 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17605 of 2025

1.Kalpana
2.Ramesh
3.Gowri @ Gowrisankar
4.Kasi @ Kasinathan
5.Vicky @ Vishal

... Petitioners/A1 to A5

Vs

The State rep by
The Inspector of Police
Virudampet Police Station,
Vellore District.
(Crime No.236 of 2024)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on bail in
the event of their arrest in connection with Crime No.236 of 2024 on the file
of the respondent.

For petitioners : Mr.Nirmal Krishnan

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



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ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 329(4), 127(2), 296(a), 296(b), 308(2), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.236 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and de-facto complainant are neighbours. Due to previous enmity, on 16.07.2024, a wordy quarrel arose between them, suddenly, A2 along with other accused trespassed into the de-facto complainant's house, caused damage to the articles and also assaulted him with iron rod. Hence, the case.

3.The contention of the learned counsel for petitioners is that the petitioners are no way connected to the alleged offences and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



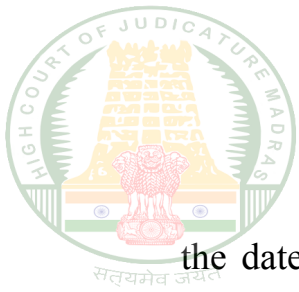
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4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that in this case totally there are 5 accused, who are the petitioners herein. The petitioners and de-facto complainant are neighbours. Due to previous enmity, A2 along with other accused trespassed into the de-facto complainant's house, caused damage to the articles and also assaulted him with iron rod. Hence, strongly opposed for granting 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 facts and circumstances of the case 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 on which the order copy made ready, before the learned **Judicial Magistrate No.III, Vellore**, on condition that the petitioners shall execute a separate 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 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 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 two 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 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, 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.

19.06.2025

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To:

- 1.The Inspector of Police
Virudampet Police Station,
Vellore District.
- 2.The Judicial Magistrate No.III,
Vellore.
- 3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.
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