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CrI.O.P.No.17614 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17614 of 2025

1.D.Muthu
2.R.Durai

... Petitioners

Vs

The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
(Crime No.122 of 2025).

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent Police concerned in Crime No.122 of 2025, on the file of the respondent Police.

For Petitioners	:	Mr.S.Kasirajan
For Respondent	:	Mr.V.Meganathan, Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023 in Crime No.122 of 2025, on the file of the respondent Police,



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seek anticipatory bail.

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2.The case of the prosecution is that the petitioners and the defacto complainant are close relatives and that on 03.06.2025 when the defacto complainant and the petitioners were involved in partition of ancestral property, a dispute arose between the family members, at that time, the petitioners had abused the defacto complainant and his family members in filthy language and assaulted them using hands and further threatened in a dire consequences. Hence the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent person 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. He further submitted that there is a counter case registered against the defacto complainant in Crime No.122/2025. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Criminal Side) appearing for the



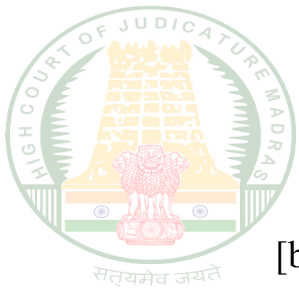
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respondent Police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners. He further submitted that the injured has been discharged from the hospital.

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

6.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.I, Vellore on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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 two weeks 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;

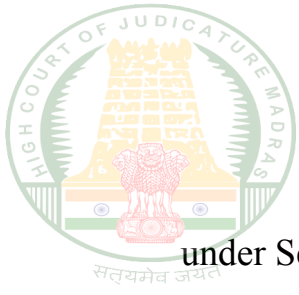
[e] the petitioners shall make himself available for interrogation by a Police officer as and when required;

[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 petitioner 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



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under Section 269 of BNS.

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To

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



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M.NIRMAL KUMAR, J.

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