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CRL OP No. 17764 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17764 of 2025

1. Santhosh Kumar @ Praveen
2. Rajesh @ Peter
3. ALPONES

Petitioners

Vs

1. The State Rep. by the Inspector of Police,
G-3, Kilpauk Police Station, Chennai-84.

Respondent

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the anticipatory bail in the event of arrest the Petitioner pending investigation in Crime No. not known of 2025 on the file of the Respondent police.

For Petitioner: Mr. A. Ajithkumar

For Respondent: M/s. R. Vinoth Raja Ga (crl. Side)

**ORDER**

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126, 296(b), 109, and 351(3) of BNS Act 2023, in Crime No. Not known of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners along with the other accused assaulted the de facto complainant with knife. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would also submit that due to previous enmity, the defacto complainant and three others assaulted the A1 and attempted to murder A1 to A3. In this connection a case was registered in Crime No. 143 of 2025 for the offences under Sections 126, 296(b), 109 and 351(3) of BNS Act 2023. A1 and A2 were arrested on 07.06.2025. The petitioners sustained injuries



and admitted in the hospital and also they are undergoing further treatment. The petitioners attacked the defacto complainant for the sole reason of defence.

Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that this is the case and case in counter. Due to previous enmity, the petitioners along with the other accused assaulted the defacto complainant with knife. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegations, the co-accused was arrested and released on bail and since, custodial interrogation is not required for the purpose of investigation, 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 II Metropolitan**



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Magistrate, Egmore, Chennai 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a]the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every day at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

27-06-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The State Rep. By
The Inspector of Police,
G-3, Kilpauk Police Station,
Chennai-84.
2. The II Metropolitan Magistrate,
Egmore, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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