



WEB COPY



CrI.O.P.No.17736 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17736 of 2025

Arumugam @ Vela

... Petitioners/A4

Vs

State rep by

The Inspector of Police,

T-12 Poonamallee Police Station,

Poonamallee, Chennai – 600 056.

(Crime No.522 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.522 of 2025 on the file of the respondent police.

For petitioner : Mr.Gurumoorthy

For Respondent : Mr.R.Vinothraja

Government Advocate (Criminal Side)



CrI.O.P.No.17736 of 2025

WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(b), 115(2), 118(i), 324(4) and 351(3) of BNS, 2023 in Crime No.522 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, the de-facto complainant's son was grazing cows, at that time the petitioner and other accused were consuming alcohol and called the de-facto complainant's son, quarreled with him and attacked him. When the same was questioned by the de-facto complainant and his brother, the petitioner and other accused attacked them with stick and stones, thereby they sustained injuries and admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as



CrI.O.P.No.17736 of 2025

alleged by the prosecution. He further submitted that the injured persons have been discharged from the hospital. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that in this case totally there are 5 accused, the petitioner is ranked as A4. He further submitted that the injured have been discharged from the hospital.

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



WEB COPY



CrI.O.P.No.17736 of 2025

6. Considering the submissions made on either side and the fact that injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Poonamallee, Thiruvallur District** on condition that the petitioner 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;



WEB COPY



CrI.O.P.No.17736 of 2025

[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 petitioner shall visit the Casualty Ward in Kilpauk Medical College Hospital and to be present in the Casualty Ward everyday from 10.00 a.m. to 5.00 p.m. for a period of three weeks. The respondent police to ensure that the petitioner is present in the Casualty Ward in the hospital;

[d] the petitioner 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 petitioner shall make himself available for interrogation by the respondent as and when required;

[f] the petitioner 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;



Crl.O.P.No.17736 of 2025

WEB COPY

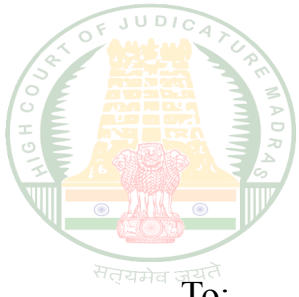
[g] the petitioner shall not abscond either during investigation or trial;

[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.

27.06.2025

rsi



CrI.O.P.No.17736 of 2025

To:
WEB COPY

1. The Inspector of Police,
T-12 Poonamallee Police Station,
Poonamallee, Chennai – 600 056.
- 2.The Judicial Magistrate No.II,
Poonamallee, Thiruvallur District.
- 3.The Public Prosecutor,
High Court Madras.



WEB COPY



Crl.O.P.No.17736 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.17736 of 2025

27.06.2025