



Crl.O.P.No.18041 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

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- 1.James
- 2.P.Charles Mariaprabhu
- 3.Jeya Christina Immaculate @ Christy
- 4.F Stanlypeter @ Stanly
- 5.R.Vanitha Juliet @ Vanitha
- 6.Viyakulamary
7. R.Santhosh Marshal @ Santhosh ... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Thalavadi Police Station,
Erode.

Crime No.83 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of
his arrest in connection with Crime No.83 of 2025 on the file of respondent
Police.

For Petitioners : Mr.M.Dinesh

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

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), 296(b), 115(2), 324(4) and 133 of BNS Act, 2023 and Section 4 of TNPHW Act, 2002 in Crime No.83 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, petitioners along with other accused abused the defacto complainant in filthy language and also assaulted him, due to which, defacto complainant sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

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



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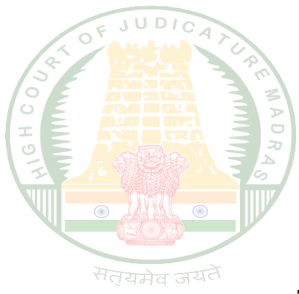
5. Heard both sides and perused the materials available on record.

6. 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.

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.I, Sathyamangalam** 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 Magistrate concerned, 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



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Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[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] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial



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Court himself as laid down by the Hon'ble Supreme Court in
P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

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

30.06.2025

sma

To

1. The Judicial Magistrate No.I,
Sathyamangalam.
2. The Inspector of Police,
Thalavadi Police Station,
Erode.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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