



CrI.O.P.No.18903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **05.08.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.18903 of 2025

1.Dharmendiran
2.Dhees @ Jegadishwari

... Petitioners/A1 & A2

Vs

State rep by
the Inspector of Police,
F-3 Vanur Police Station,
Villupuram Distirct.
(Crime No.102 of 2025)

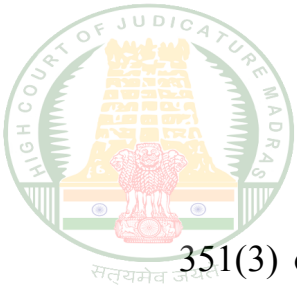
... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police in Crime No.102 of 2025 on the file of the respondent police.

For petitioners : Mr.J.Samiullah
For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1),



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351(3) of BNS, 2023 r/w Section 4 of Tamil Nadu Prohibition of Women

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Harassment Act in Crime No.102 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant and petitioners are neighbours. There was previous dispute between them with regard to flowing of water in front of the petitioners' house, hence, on the date of occurrence, a wordy quarrel arose between the de-facto complainant and petitioners. The petitioners along with his son assaulted the de-facto complainant and his wife with hands and legs, due to which, the de-facto complainant's wife sustained fracture on the shoulder. Hence, the case.

3. The learned counsel for petitioners submitted that the petitioners are innocent persons and they are no way connected to the above offence. He further submitted that the injured has been discharged from the hospital. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioners.



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4.The learned Additional Public Prosecutor appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the injured has been discharged from the hospital.

5.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.

6.Considering the submissions made on either side and the fact that injured has been discharged from the hospital, 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 District**



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Munsif cum Judicial Magistrate, Vanur on condition that the petitioners

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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 learned Magistrate concerned, 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 everyday at 10.30 a.m., for a period of three 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;



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[e] the petitioners shall make themselves available for interrogation by the respondent as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for custody beyond the first fifteen days, he 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.

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M.NIRMAL KUMAR, J.

rsi

To

1.The District Munsif cum Judicial Magistrate,
Vanur.

2.The Inspector of Police,
F-3 Vanur Police Station,
Villupuram Distirct.

3.The Public Prosecutor,
High Court Madras.

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