

Crl.O.P.No.19093 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19093 of 2025

1.K.Sakthivel
2.T.Suresh

.. Petitioners

Vs.

The State of Tamil Nadu,
Rep by its. The Inspector of Police,
Oragadam,
Kancheepuram District.
(Crime No.192 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Crime No.192 of 2025 dated 20.06.2025 on the file of the respondent police pending investigation.

For Petitioners : Mr.G.Dinesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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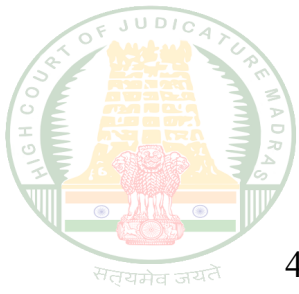
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ORDER

The petitioners were apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 126(2), 296(b), 118(1) and 324(2) of BNS in Crime No.192 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were a Government bus driver and conductor. They got injured because the de facto complainant, a lorry driver, had not given way to their vehicle. As a result, they beat the de facto complaint using an iron rod, due to which the de facto complainant sustained a fracture and took treatement in KMC Hospital. Hence, the case.

3. Learned counsel appearing for the petitioners, on instructions, submitted that they are ready and willing to pay a sum of Rs.50,000/- to the de facto complainant, lorry driver, namely, Dhanasekaran on humanitarian consideration without prejudice to his right of defence. Hence, he prays to grant anticipatory bail to the petitioners.



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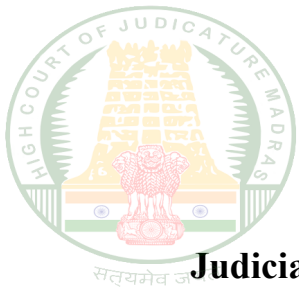
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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

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

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, that **the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) jointly to the credit of Crime No.192 of 2025 and on such deposit, The de facto complainant is directed to file an appropriate petition/memo before the Lower Court in Crime No.192 of 2025 for withdrawing the amount deposited by the petitioners. Since the petitioners have no objection, notice to the petitioners are dispensed with.**

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**



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Judicial Magistrate Court, Sriperumbudur, Kancheepuram District on

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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, and on

proof of payment of deposits, 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 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 for a period of two weeks and thereafter, as and when required for further interrogation;

[d] 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;



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[e] the petitioners shall make himself available for
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[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] 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 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.

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M.NIRMAL KUMAR, J.

cda

To

- 1.The Judicial Magistrate Court,
Sriperumbudur, Kancheepuram District.
- 2.The Inspector of Police,
Oragadam,
Kancheepuram District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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