



CrI.O.P.No.19058 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19058 of 2025

1.Prabakaran

2.Sivanathaganesh

... Petitioners

Vs

The State represented by
The Inspector of Police,
N2 – Kasimedu Police Station.
(Crime No.258 of 2025).

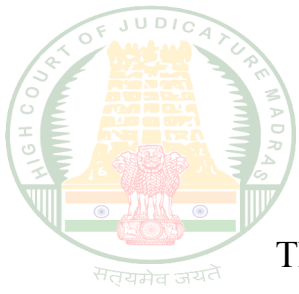
... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of arrest by the respondent Police in Crime No.258 of 2025 on the
file of the Inspector of Police, Kasimedu Police Station N-2.

For Petitioners : Mr.K.Sasindran

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

ORDER



Crl.O.P.No.19058 of 2025

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 115(2) & 118(1) of BNS in Crime No.258 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.Case of the prosecution is that on 06.06.2025 when the defacto complainant was going for a walk, the petitioners came in a vehicle bearing Reg.No.TN-03-AL-7423 in a rash and negligent manner and attempted to hit the defacto complainant. When the defacto complainant questioned the petitioners, the petitioners punched the defacto complainant on his face and attacked him with stones. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and no way connected with this crime and they have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to attack of the petitioners, the defacto



CrI.O.P.No.19058 of 2025

complainant sustained injuries and thereafter discharged from the hospital.

WEB COPY

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.In view of the above, 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 of receipt of a copy of this order, before the learned XVI Metropolitan Magistrate, George Town, Chennai on condition that the petitioners 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 said Magistrate, 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 the identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police as and when required for interrogation.

[d] the petitioners shall not directly or indirectly cause any threat to the



Crl.O.P.No.19058 of 2025

defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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

[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, they 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.

16.07.2025

vv2

To

1.The XVI Metropolitan Magistrate,
George Town, Chennai.



CrI.O.P.No.19058 of 2025

2.The Inspector of Police,
N2 – Kasimedu Police Station.

3.The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.O.P.No.19058 of 2025

M.NIRMAL KUMAR, J.

vv2

Crl.O.P.No.19058 of 2025

16.07.2025