



CrI.O.P.No.19392 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.19392 of 2025

1.P.Kaviarasu
2.Panneer Selvam
3.Kalaivani

... Petitioners/A1 to A3

Vs

State Represented by
The Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur.
(Crime No.201 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to release the petitioner on bail in
the event of their arrest by the respondent police in Crime No.201 of 2025 on
the file of the respondent police.

For petitioners : Mr.Karthikeyan Vajjiram

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



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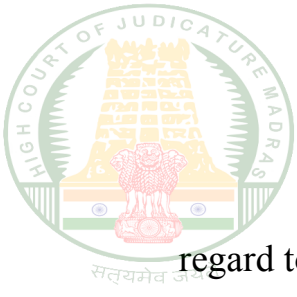
ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 74 of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.201 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was previous dispute between the petitioners' family and the de-facto complainant's family with regard to pathway. On the date of occurrence, when the de-facto complainant went in a public pathway situated behind the petitioners' house, the petitioners prevented and assaulted her using stone, thereby she sustained injuries and admitted in the hospital. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. There was a previous dispute between them with



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regard to pathway. He further submitted that the petitioners are ready to abide

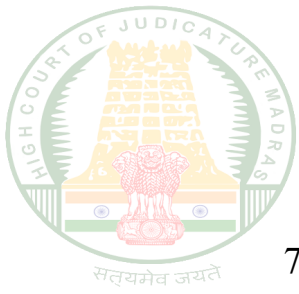
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by any stringent condition that may be imposed by this Court. Hence, prayed for anticipatory bail to the petitioners.

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 there are totally three accused, who are the petitioners herein. Due to previous enmity the petitioners attacked the de-facto complainant with stone and caused injuries to her.

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

6.Considering the submissions made on either side and the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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, Tirupattur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, of whom, one surety should be a blood surety from the family members**, 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;



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[c] the 1st and 2nd petitioners alone 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 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 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 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];



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M.NIRMAL KUMAR, J.

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[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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rsi

To:

1.The Judicial Magistrate No.I,
Tirupattur.

2.The Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur.

3.The Public Prosecutor,
High Court Madras.

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