



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19268 of 2025

1.Gopi
2.Ajithkumar
3.Bharath

.. Petitioners/A1 to A3

Vs.

The State Rep. by its
Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
(Crime No.239 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.239 of 2025 on the file of the respondent police station.

For Petitioners : Mr.E.Sathiyaraj Elangovan

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



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNSS (corresponding Sections 294(b), 323, 324, 506 of IPC) in Crime No.239 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A1 and two unknown persons demanded money from the de facto complainant and when the same was refused by him, defacto complainant abused him in filthy language and attacked him with an iron rod, due to which, defacto complainant sustained injury and admitted in the Government Hospital. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing for grant of anticipatory bail to the petitioners reiterated the prosecution case and also submit that the injured has been discharged from the hospital.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police 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.

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, Polur, Tiruvannamalai** 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, 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 first petitioner shall report before the respondent police twice a day from 20.07.2025 to 26.07.2025.

[d] the 2nd and 3rd petitioners shall report before the respondent Police for a period of two weeks and thereafter as and when required for interrogation;

[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



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or trial;

[f] the petitioners shall make himself available for interrogation by a Police office as and when required;

[g] 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;

[h] the petitioners shall not abscond either during investigation or trial;

[i] 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];

[j] 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/sma

To

- 1.The Judicial Magistrate,
Polur, Tiruvannamalai District.
- 2.The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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