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Crl.O.P.No.20356 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20356 of 2025

1.Subash
2.Sugumar
3.Vallarasu
4.Praveen
5.Krishnammal

... Petitioners/A2,3,5,6&8

Vs.

State rep. by its,
The Inspector of Police,
Omerabad Police Station,
Ambur.

Crime No.173 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest at the hands of the respondent pending investigation in Crime No.173 of 2025 on the file of the respondent police.

For Petitioners : Mr.Ezhil Balaji

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3), 74 r/w.3(5) of BNS 2023, in Crime No.173 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity as the de-facto complainant brother's son Srikanth was in love with A2 daughter the accused persons went to the de-facto complainant house attacked, abused and threatened the de-facto complainant in filthy language. Hence, the case.

3. The learned counsel appearing for the petitioners states that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Public Prosecutor (Crl. Side) submitted that the injured person in this case has been discharged from the hospital. He further submitted that a counter case in Crime No.175 of 2025 is pending against the petitioner. Hence, he opposed the grant of anticipatory bail to the petitioners.



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5. Heard the learned counsels on either side and perused the materials available on record.

6. This Court, on considering both the case and the counter case, 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 before the learned **Judicial Magistrate, Ambur**, 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 learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police on every Saturday at 10.30a.m., for a period of eight weeks and thereafter, as and when required for interrogation;



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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

1. The Judicial Magistrate, Chennai.
2. The Inspector of Police,
Omerabad Police Station,
Ambur.
3. The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI J.

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