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Crl.OP.No.20632 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.20632 of 2025

1. Mohan
2. Muthupandi

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kolathur Police Station,
Salem District.
(Crime No.268 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioners on bail in the event of arrest a case in Crime No.268 of 2025, on the file of the respondent police,

For Petitioners : Mr.C.Deepak Kumar

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



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ORDER

The petitioners, who apprehends arrest for the alleged offence punishable under Sections 126(2), 296(b), 191(2), 191(3), 324(4), 324(5), 115(2), 118(1) and 351(3) of BNS, in Crime No.268 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that on 07.07.2025 the defacto complainant along with his neighbour and friends were travelling in a SWIFT motor vehicle to pick up the neighbour's brother from Karnataka. While proceeding from Kolathur towards MatheswaranMalai Main Road, Kaveripuram, and upon reaching Vijayendiran's Bridge, it is alleged that a group of individuals, who were consuming alcohol by the roadside, suddenly obstructed the path of the vehicle are alleged to have compelled the defacto complainant to halt the vehicle and thereafter began verbally abusing the complainant and his companions using filthy and offensive language. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the no previous case is pending against the petitioners, there was some wordy quarrel and co-accused already released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate – I, Mettur*, 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 further condition that:

(a) the petitioners is directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.268 of 2025 and the victim is permitted to**



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withdraw the same without prejudice to the right and contentions, within a period of two weeks from the date of receipt of a copy of this order and shall produce the receipt for the same before the Court below.

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police on every Saturday at 10.30 a.m. for the period of eight weeks.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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



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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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

11.09.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate – I, Mettur.
- 2.The Inspector of Police,
Kolathur Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.

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T.V.THAMILSELVI, J.

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