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Crl.OP.No.21942 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.21942 of 2025

1. Pillappan

2. Vilin Pandian @ Subin Pandian

... Petitioners

Vs.

State by

The Inspector of Police,
Virugambakkam Police Station,
Chennai.

(Crime No.248 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.248 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Raja

For Intervenor : Mr.B.Harikrishnan

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

ORDER



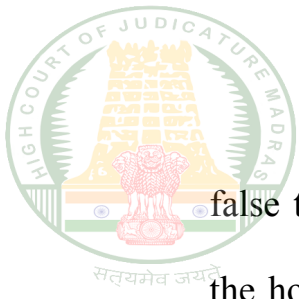
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The petitioners apprehend arrest for the alleged offence under Sections 296(b) and 118(1) of BNS Act in Crime No.248 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that while the defacto complainant and his family members have visited their property, the petitioners went there and abused and threatened the defacto complainant and her family members with dire consequence, attacked them with iron rod and caused injuries to them. Hence, the present complaint.

3. The learned counsel for the petitioners submitted that there was a quarrel arose between the parties regarding tenancy and only simple injury caused to them, they were discharged from the hospital. He further submitted that there was a case and case in counter registered in Cr.No.249 of 2025 and there is no previous cases against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.

4. Per contra, the learned counsel for the Intervenor submitted that it is



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false to state that the petitioners are tenant, they have forcibly entered into the house of the defacto complainant and occupied the vacant portion. The defacto complainant questioned about the same, the petitioners were threatened the defacto complainant and her family members with dire consequence and attacked them with iron rod and caused injuries to them.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured involved in this case were discharged from the hospital. Hence, he opposed to grant anticipatory bail to the petitioner.

6. Heard both sides and perused the materials available on record including the First Information Report.

7. Considering the facts and circumstances of the case and the submissions made by both counsel, this is case and case in counter and also taking to note that the injured discharged from the hospital and since the custodial interrogation of the petitioners are not required, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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CrI.OP.No.21942 of 2022

8. 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 on which the order copy made ready, before the **XXIII Metropolitan Magistrate Court, Saidapet, Chennai-15** on condition that **each of the petitioners shall execute separate bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fail to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of**



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CrI.OP.No.21942 of 2025

two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv

To

1. The XXIII Metropolitan Magistrate Court,
Saidapet, Chennai-15.
2. The Inspector of Police,
Virugambakkam Police Station,
Chennai.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

K.RAJASEKAR, J.

Vv



WEB COPY



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