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Crl.OP.No.24303 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24303 of 2025

1. Balu
2. Kavitha
3. Vikram
4. Kavi Bala
5. Kavi Bharathi (Minor)

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Srimushnam, PS, Cuddalore District.
(Crime No.149 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya

Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in the above Crime No.149 of 2025 on the file of the Inspector of Police, Srimushnam Police Station.

For Petitioners : Mr.D.Ashok Kumar

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



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The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 118(1), 351(3) of BNS Act, 2023 in Crime No.149 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the complainant was looking after the logged the complaint against the petitioner along with other persons wrongfully restrained them, scolded them in filthy language and threatened them by uttering the words. Hence this case.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured was discharged from hospital after treatment. However, he opposed to grant anticipatory bail to the petitioner.



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5. Heard the learned counsels on either side 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 petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days (10) from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate II MM Court, Viruthachalam*** on condition that each of the petitioners shall execute separate bonds 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, failing which, the petition for anticipatory bail shall stand dismissed 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 petitioner shall report before the respondent police as and when required for



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**interrogation and furnish security on or before
19.09.2025;**

[c] 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]**;

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

04.09.2025

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To

- 1.The Judicial Magistrate II MM Court,
Viruthachalam.
- 2.The Inspector of Police,
Srimushnam, PS,
Cuddalore District.
- 3.The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

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