



Crl.O.P.No.24613 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24613 of 2025

1.Mr.Vivekananthan
2.Mr.Madhan
3.Mr.Dhilipkumar
4.Mrs.Santhini
5.Mr.Inbanathan

... Petitioners

Vs.

The State Rep. by its
The Inspector of Police,
Melpatti Police Station,
Vellore – 635 805.
Crime No.108 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail to the petitioners in the event of their arrest in Crime No.108 of 2025, on the file of the respondent police.

For Petitioners : Mr.V.Iniyavan

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



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ORDER

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The petitioners were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS, in Crime No.108 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. It is now submitted that the 1st petitioner has been arrested in this case. Therefore, **this Criminal Original Petition is dismissed as infructuous, as against the 1st petitioner.** In regard to petitioners 2 to 5, the case was taken up for consideration.

3. The case of the prosecution is that due to a money dispute, enmity was prevailing between the de facto complainant's son and the 1st petitioner. On 09.08.2025, a quarrel arose and it is alleged that the petitioners assaulted the de facto complainant's family with wooden log and hands, causing injuries. Hence, the present complaint.

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



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5. The learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioners.

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

7. Considering the nature of the complaint and the cause of the dispute, this Court is inclined to grant anticipatory bail to petitioners 2 to 5 with certain conditions.

8. Accordingly, petitioners 2 to 5 are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order before the learned **Judicial Magistrate, Gudiyatham**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, **in which one surety must be a blood surety** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners 2 to 5 fail to surrender before



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the concerned Magistrate, within a period of ten 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 the identity proofs to ensure their identity;

[c] petitioners 2 to 5 shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) to the credit of Crime No.108 of 2025 before the learned Judicial Magistrate, Gudiyatham, and on such deposit, the de facto complainant is permitted to withdraw the same on proper acknowledgment.

[d] petitioners 2 to 5 shall report before the respondent police on every Tuesday at 10.30 a.m., for a period of eight weeks, and thereafter as and when required for interrogation;

[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**



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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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cda

To

1.The Judicial Magistrate, Gudiyatham.

2.The Inspector of Police,
Melpatti Police Station,
Vellore – 635 805.

3.The Public Prosecutor,
High Court of Madras.

T.V.THAMILSELVI, J.

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