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CRL.OP.No.. 25145 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL.OP.No. 25145 of 2025

and

CrI.M.P.No. 17460 of 2025

1.S.David Padmanaban

2.Shyla Agnes. D @ Sakela

..Petitioners/A1&A2

Versus

The State,

Represented by

The Inspector of Police,

Rasipuram Police Station

Namakkal District.

Crime No. 279 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, praying to enlarge the petitioner on bail in the event of his arrest a case in Crime No.279 of 2025 pending investigation on the file of the respondent.

For Petitioners : Mr.V.Raghavachari,
Senior Advocate
For Mr.J.Lingeswaren

For Intervener : Mr.T.Gowthaman
Senior Advocate
For Mr.Anton Dhanasekaran

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

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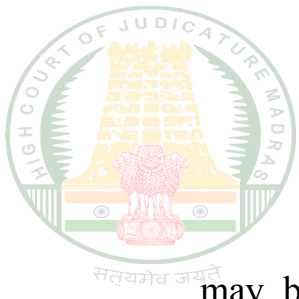
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ORDER

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2.The allegation against the petitioners is that there was some property dispute between the petitioners and the de-facto complainant. The petitioners had assaulted by using obscene words and threatened him with deadly weapons. In the impact, the de-facto complainant sustained injuries. Hence the respondent police registered a case against the petitioners.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and the have been falsely implicated in this case. He submits that they have not committed any offence as alleged by the prosecution. He also submits that this case is a case-in-counter in Crime No.280 of 2025 against the de-facto complainant for the offences u/s.296(b), 115(2) & 351(2) of BNS, 2023. He further submits that a civil suit is pending between the petitioners and the de-facto complainant. He also submits that the petitioners are ready to abide by any conditions that

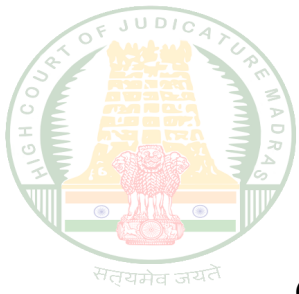


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may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that civil suit is pending between the petitioners and the de-facto complainant before the Trial Court. He further submits that this case is a case-in-counter in Crime No. 280 of 2025 filed by the petitioners against the de-facto complainant. He further submits that the injured person has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5.The learned Counsel for the Intervener/De-facto complainant submitted that there was some property dispute between the petitioners and the de-facto complainant and the petitioners had assaulted the de-facto complainant by using filthy language, threatening him with deadly weapons and the petitioners had also entered into the house of the de-facto complainant and damaged the CCTV camera. Therefore, he strongly opposed for grant of anticipatory bail to the petitioners.



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

7. Considering the facts and circumstances of the case and the submissions made by learned counsels on either side and considering the fact that the civil suit is pending between the petitioners and the de-facto complainant before the Trial Court and the allegations are levelled against each other and therefore, custodial interrogation is not required in this case and the injured person has been discharged from the hospital and hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate at Rasipuram, Namakkal District**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:-

(a) If the petitioners fails to surrender before the



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concerned Magistrate, within a period of fifteen 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] the petitioners shall report before the respondent Police daily at 10.30 p.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] 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]**;



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

Connected Crl.MP.No. 17460 of 2025 shall
stands closed.

17.09.2025

MSM

To

1.The Judicial Magistrate at Rasipuram,
Namakkal District.

2.The Inspector of Police,
Rasipuram Police Station
Namakkal District.

Crime No. 279 of 2025.

3.The Public Prosecutor, High Court, Madras.

K. RAJASEKAR, J.,

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