



WEB COPY



Crl.O.P.No.27766 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM

THE HON'BLE DR.JUSTICE K.RAJASEKAR

Crl.O.P.No.27766 of 2025

Sivaselvan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kurisillapet Police Station,
Thirupathur District.
(Crime No.103 of 2025)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, praying to enlarge the petitioner on bail, in the event of his arrest, in Crime No.103 of 2025 on the file of the Inspector of Police, Kurisillapet Police Station, Thirupathur District.

For Petitioner : Mr.C.D.Sugumar

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

ORDER

This petition for anticipatory bail has been filed by the petitioner in connection with Crime No.103 of 2025 registered by the respondent police for the alleged offence under Sections 296(b), 115(2), 118(1), 351(2), 329(1) &



324(5) of The Bharatiya Nyaya Sanhita (BNS), 2023 r/w 4 of Tamil Nadu
Prohibition of Harassment of Women Act, 2002.

2. The allegation against the petitioner is that the petitioner along with A1 and A2 trespassed into the house of the defacto complainant and damaged house hold articles and attacked the son of the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that, co-accused have been released on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that petitioner's earlier anticipatory bail petition was dismissed by this Court on 20.08.2025 in Crl.O.P.No.23005 of 2025. He further submitted that, investigation has been completed in this case.



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

6. Though petitioner's earlier anticipatory bail petition was dismissed, considering the fact that the co-accused was arrested and released on bail, 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 from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court No.2, Tirupathur District**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioner fails to surrender before 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



WEB COPY



CrI.O.P.No.27766 of 2025

Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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]**;

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

13.10.2025

sma

To

4/6



Crl.O.P.No.27766 of 2017

1. The Inspector of Police,
Kurisillapet Police Station,
Thirupathur District
2. The Judicial Magistrate Court No.2,
Tirupathur District.
3. The Public Prosecutor,
High Court, Madras.

K.RAJASEKAR, J.



WEB COPY



Crl.O.P.No.27766 of 2025

sma

Crl.O.P.No.27766 of 2025

13.10.2025