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Crl.OP.No.26020 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26020 of 2025

1. S.Delip Kumar
2. S.Deepak Kumar
3. Amudha
4. G.Baskar

... Petitioners

Vs.

The State by
Inspector of Police,
Kanakamma Chatram Police Station,
Tiruthani Taluk, Tiruvallur District.
(Cr.No.153 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.153 of 2025 on the file of the respondent police.

For Petitioners : Mr.P.S.Kothandaraman

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



ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 191(2), 296(b), 115(2), 74, 313 of BNS, 2023 in Crime No.153 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that on 17.08.2025 at about 07.00p.m., when the defacto complainant's brother along with other persons went to the petitioners to ask for repayment of amount borrowed by them, there was a quarrel in which the defacto complainant's husband and others and assaulted them with hands, at that time, the defacto complainant's mobile phone was fallen down, which was taken by the 1st petitioner/accused. When the defacto complainant asked him to return his mobile, he refused to return the same. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that due to property dispute, a false complaint has been lodged against the petitioners and they are not taken away any property as alleged. Hence, he prayed to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that nobody arrested in this case and the accused/petitioners sustained simple injury only. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, and the submissions made by both counsel, and taking note of the fact that injured had sustained simple injury only and that the custodial interrogation of the petitioners is not required, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions. .

7. 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, before the learned **Judicial Magistrate-I, Tiruthani, Thiruvallur District** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



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(a) If the petitioners fails 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 two weeks and thereafter, as and when required for interrogation;

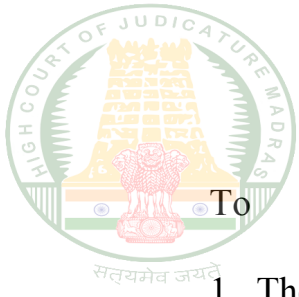
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself 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.

22.09.2025

Vv

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To
1. The Judicial Magistrate-I,
Tiruthani, Thiruvallur District

2. The Inspector of Police,
Kanakamma Chatram Police Station,
Tiruthani Taluk, Tiruvallur District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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