



Cr1.O.P.No.27432 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Cr1.O.P.No.27432 of 2025

1. Mozhiyarasan
2. Amaresan

... Petitioners

Vs.

The State Rep. by
The Inspector of Police
Vaniyambadi Taluk Police Station,
Vaniyambadi, Tirupattur District
(Crime No.359/2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest in Crime No.359 of 2025 on the file of the respondent Police.

For Petitioners : Mr.G. Vinodh Kumar

For Respondent : Mr.S.Santhosh
Government Advocate (Cr1. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 351(3) of BNS r/w Section 67 of IT Act in Crime No.359 of 2025, on the file of the respondent police, seek anticipatory bail.



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2.The case of the prosecution is that the petitioners herein abused the defacto complainant in filthy language and recorded it and sent the same in WhatsApp group which escalated into violence and assault.

3.Learned counsel appearing for the petitioners submitted that the petitioner is an innocent person and he has been falsely implicated in this case; that the petitioner has never committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Cr1. Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and on instruction submitted that there is no previous case pending against the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of



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allegations, submissions made by the learned counsels on either side, the fact that that there is no previous case pending against the petitioners and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate Vaniyambadi** , on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each **with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.



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[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

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

03.10.2025

smn

Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. *All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.***



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To

1.The Judicial Magistrate Vaniyambadi

2.The Inspector of Police
Vaniyambadi Taluk Police Station,
Vaniyambadi, Tirupattur District

3.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.
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