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Crl.O.P.No.27562 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27562 of 2025

1.Askar Basha
2.Ansar Basha

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Pernampet Police Station,
Pernampet, Vellore District.
Crime No.289 of 2025

... Respondent

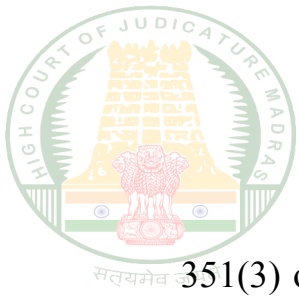
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.289 of 2025 on the file of the respondent police.

For petitioners : Mr.Vinodh Kumar

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

ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1),



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351(3) of BNS [Sections 294(b), 321, 324, 506(ii) of IPC] in Crime No.289 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arose between the de facto complainant and the petitioners, which subsequently led to an exchange of blows. It is alleged that the petitioners, along with other accused, attacked the de facto complainant, and caused injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that there is no specific overt act attributed to the petitioners and that they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of anticipatory bail, reiterating the prosecution case and submitted that A1 has four previous cases and A2 has one previous case. He further submitted that the injured has been discharged from the hospital.



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

6. Considering the nature of the complaint and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with 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 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.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 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;



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[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 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]**;

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

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To

- 1.The Judicial Magistrate, Gudiyatham.
- 2.The Inspector of Police,
Pernampet Police Station,
Pernampet, Vellore District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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