



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27977 of 2025

1. Divakaran

2. Vijay

... Petitioner

Vs.

State rep by the Inspector of Police,
Vaniyampadi Taluk Police Station,
Vaniyambadi, Tirupathur District.
(Crime No.373 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.373 of 2025 on the file of the respondent police.

For Petitioner : Mr.Vinodh Kumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioners, who were apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 296(b),
115(2), 74, 351(2) of BNS in Crime No.373 of 2025, seek anticipatory bail.



2. The allegation against the petitioners is that due to previous enmity, the petitioners attacked the defacto complainant with hands and used filthy language and also threatened with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submitted that, petitioners are innocent persons and due to previous enmity, false complaint has been given by the defacto complainant. Thus, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl Side) submitted that, it is a case of case in counter, wherein due to previous enmity, petitioners abused and attacked the defacto complainant with hands and also threatened with dire consequences. He further submitted that, apart from this case, petitioners have no previous cases. He also submitted that, investigation in this case is over, however, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the



petitioners have no previous cases, 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, Vaniyampadi**, on condition that the petitioner 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 fail 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 Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



WEB COPY



K.RAJASEKAR, J.

kmm

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one week 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.

14.10.2025

kmm

To

1. The Judicial Magistrate, Vaniyambadi.
2. The Inspector of Police,
Vaniyampadi Taluk Police Station,
Vaniyambadi, Tirupathur District.



3. The Public Prosecutor,
High Court of Madras.

WEB COPY



Crl.O.P.No.27977 of 2025