



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.28551 of 2025

1.Sarathkumar
2.Logeshwari

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
Karipatty Police Station,
Salem District.
(Crime No.363 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.363 of 2025 on the file of the respondent police.

For Petitioners : Mr.N.Umapathi

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

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 296(b), 118(1), 351(2) and Section 4 of TNPHW Act, 2002 in Crime No.363 of 2025 seek anticipatory bail.



2.The allegation against the petitioners is that, due to previous enmity between the petitioners and the defacto complainant, on the date of the alleged occurrence, the petitioners assaulted the defacto complainant with a wooden log and caused injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners have no previous cases pending against them and that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioners have no previous cases against them



and that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned District Munsif cum Judicial Magistrate, Vazhapadi*, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 and on further condition that:

(a) 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., for a period of two weeks and thereafter as and when required for interrogation;

(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 petitioners 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.10.2025

drl

To

1. The District Munsif cum Judicial Magistrate,
Vazhapadi.

2. The Inspector of Police,
Karipatty Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

drl

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