



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30229 of 2025

1.Rajesh

2.Vengatesh @ Vengatesan

3.Prabhakaran

4.Viji @ Vijay

Petitioners

Vs

1. State rep by The Inspector of Police

Gengavalli Police Station, Salem.

Crime No. 140/2025.

Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of their arrest in Crime No. 140/2025 on the file of the respondent police.

For Petitioner(s): S.Sengkodi

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



police for the alleged offences punishable under Sections 191(3), 296(b), 115(1), 118(2), 109(2) and 351(2) of BNS Act r/w. Section 3(1) of PPDL Act, 1992 in Crime No. 140 of 2025, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner along with other accused attacked the defacto complainant using wooden log and also damaged his bike. Hence, the case has been registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant 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 co-accused in this case have already been granted bail and anticipatory bail by this Court in Crl.O.P.Nos.21617 of 2025 & 27002 of 2025 vide order dated



01.08.2025 and 06.10.2025 respectively. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. This court, vide order dated 21.08.2025, dismissed the bail application of the petitioners in Crl.OP.No.23228 of 2025. Subsequently, some accused, who were earlier dismissed in the same order, have been granted anticipatory bail by this court in Crl.OP.No.27002 of 2025, by order dated 06.10.2025. Since the co-accused, who were also earlier dismissed in the same anticipatory bail application, have been granted bail, this petitioner is also entitled to bail on the ground of parity. Accordingly, I am inclined to grant anticipatory bail to the petitioners with certain conditions:

6. 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 ready, before the **learned Judicial Magistrate-II, Attur**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate



concerned, and on further condition:

(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 three 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 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]*;



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(e) If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of BNS.

06-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mpa

To

1. The Judicial Magistrate-II, Attur.

2. State rep by The Inspector of Police

Gengavalli Police Station, Salem.

Crime No. 140/2025.

3. The Public Prosecutor

High Court of Madras.



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K.RAJASEKAR J.
mpa

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