



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28917 of 2025

1. VADIVEL

2. MALAR

Petitioner(s)

Vs

State rep. by

The Inspector of Police,

ATTAIYAMPATTI Police Station,

Salem District (Crime No. 345 of 2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS, to enlarge the Petitioners on bail in the event of their arrest in Crime No.345 of 2025, on the file of the respondent police.

For Petitioner(s): Mr.W.Camyles Gandhi

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



ORDER

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The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) BNS r/w TN Prohibition of Harassment of Women Act 2002, in Crime No.345 of 2025, seek anticipatory bail.

2. The case of prosecution is that on 09.10.2025 the petitioners assaulted the defacto complainant due to land dispute, abused using filthy language and threatened the defacto complainant with dire consequence. Hence, the complaint .

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the



respondent submitted that the injured person has been discharged from the hospital and there is no previous cases pending against the petitioners.

However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, there is no previous cases pending against these petitioners and also the injured person has been discharged from the hospital, the custodial interrogation of the petitioners is not necessary and hence, this Court is 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 before the *learned Additional Mahila Court, Salem*, on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed



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 further interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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]*;

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

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To
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- 1.State rep. by
The Inspector of Police,
ATTAIYAMPATTI Police Station,
Salem District (Crime No. 345 of 2025)
- 2.The Additional Mahila Court, Salem.
- 3.The Public Prosecutor
High Court of Madras.



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