



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 30009 of 2025

1.Antony
2.Arun @ Vimalraj
3.Santhosh
4.Ruban @ Kumaran

Petitioner

Versus

The State rep. by
The Inspector of Police
Madipakkam Police Station
Chengalpattu District
Crime No. 69 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest pending investigation in Crime No. 69 of 2025 on the
file of the respondent police.

For Petitioners : Mr.P.Muthamizh Selvakumar
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

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



police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS Act r/w Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No. 69 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that the de-facto complainant was working as a cashier at a restaurant at Keelkattalai. A1 came to her restaurant and purchased some food without paying money. When the same was questioned by the de-facto complainant, A1 threatened the de-facto complainant and left out from the restaurant. On 26.01.2025 at about 8.00 hours, A1 and the petitioners came to the restaurant pulled the labour from the restaurant and assaulted him with knife and woodenlog. When the de-facto complainant intercepted on the issue and trying rescued the labour, A1 and others assaulted him with hands and knife by refusing to pay money. Hence the complaint.



WEB COPY

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that the petitioners accompanying with A1 & A2 and they have not committed any offence as alleged by the prosecution. He also submits that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the petitioners damaged the properties belongs to the de-facto complainant worth about Rs.60,000/-. He further submits that investigation is completed. However, he opposed to grant anticipatory bail to the petitioners.

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



WEB COPY

6. Considering the submissions made by the learned Counsel on either side; that the petitioners/A3 to A6 accompanied with the petitioners; and they have no bad antecedents; 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 fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.II, Alandur**, on condition that the petitioners shall execute a 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 that:

(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order



WEB COPY



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;

[c] the petitioners shall report before the respondent Police daily 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 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 themselves 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.



05.11.2025

WEB COPY

MSM

To

1.The Judicial Magistrate Court No.II, Alandur.

2.The Inspector of Police
Madipakkam Police Station
Chengalpattu District

Crime No. 69 of 2025.

3. The Public Prosecutor,
High Court of Madras.



WEB COPY



K.RAJASEKAR, J.

MSM

Crl.O.P.No. 30009 of 2025



WEB COPY



05.11.2025