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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.11.2025**

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.29920 of 2025

1.Arfan Ahmed
2.Nisar Ahmed

.. Petitioners

Versus

The State rep by its,
The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur District.
(Crime No.299 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.299 of 2025 on the file of the respondent police.

For Petitioners : Mr.C.D.Sugumar
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 126(2), 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.299 of 2025 seek anticipatory bail.



2. The allegation against the petitioners is that, on the date of the alleged occurrence, they along with other accused persons waylaid the defacto complainant's brother and assaulted him. When the defacto complainant reached the place of occurrence to rescue his brother, the accused persons allegedly attacked him with an iron rod, causing injuries to both the defacto complainant and his brother. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons 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 to grant anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally 6 accused in this case and the petitioners herein are ranked as A4 and A5. He further submitted that the injured was discharged from the hospital and that the petitioners have no previous case against them. Hence, he opposed for the grant of anticipatory bail to the petitioners.

4. Considering the submissions made by the learned counsel on both sides, the fact that the injured was discharged from the hospital and the



petitioners have no previous case pending against them, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

5. 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 Judicial Magistrate Court, Vaniyambadi at Thirupathur*, 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 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 10.00 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;



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(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.

04.11.2025

drl

To

1.The Judicial Magistrate Court,
Vaniyambadi at Thirupathur.

2. The Inspector of Police,
Vaniyambadi Town Police Station,
Thirupathur District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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