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CrI.OP.No. 30161 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.11.2025**

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 30161 of 2025

1.Mohamed Khadar V.
2.M.Gauthul Alam

Petitioners

Vs

The State rep. by
The Inspector of Police
B2, Esplanade Police Station
Near High Court, George Town,
Parrys, Chennai- 600 001.
Crime No. 307 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of their arrest pending investigation in Cr.No.307 of 2025 on the file
of the respondent police.

For Petitioners : Mr.Riyas N.
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), 115(2) and 118(1)
of BNS, 2023 in Crime No. 307 of 2025, on the file of the respondent



Police, seeks anticipatory bail.

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2. The allegation against the petitioner is that there was wordy quarrel between the petitioners and the de-facto complainant. After escalating arguments between them, the petitioners assaulted the de-facto complainant and threatened the de-facto complainant. Hence the complaint.

3. The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. He further submits that this case is a case-in-counter, has been registered against the de-facto complainant in Crime No.306 of 2025 for the offences u/s.296(b), 115(2) and 118(2) of BNS. 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 this case is a case-in-counter, has been registered against the de-facto complainant in



Crime No.306 of 2025. He further submits that the petitioners have no previous case. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the fact that the petitioners have no previous case; that there was only wordy quarrel between the petitioners and the de-facto complainant; that investigation is completed; 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 **VII Metropolitan Magistrate Court, George Town, Chenani**, 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



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Crl.OP.No. 30161 of 2022

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 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 one week, 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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)13 SCC 283]**;



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Crl.OP.No. 30161 of 2025

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

05.11.2025

MSM
To

1.The VII Metropolitan Magistrate Court, George Town, Chenani,

2.The Inspector of Police
B2, Esplanade Police Station
Near High Court, George Town,
Parrys, Chennai- 600 001.
Crime No. 307 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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Crl.OP.No. 30161 of 2025

K.RAJASEKAR, J.

MSM

CRL OP NO. 30161 of 2025

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