



Crl.O.P.No.31671 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.31671 of 2025

1.Sadyappan

2. Rajesh

... petitioners

Vs.

State By,

The Inspector of Police,

Vaazhapadi Police Station,

Salem.

Crime No.432 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.432 of 2025 on the file of the respondent police.



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For petitioners : Mr.K.Balu
For Respondent : M/s.A.Gopinath
Government Advocate (Crl. Side)
For Intervenor : Mr.S.Mahaveer Shivaji

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 351(3) of BNS and Section 3(1) of TNPPDL Act, 1992 in Crime No.432 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegations against the petitioners is that, due to intra-party enmity, while the sitting member of the assembly had visited the condolence meeting on 04.11.2025, at about 12.15 hrs, 25 persons gathered together and attacked the persons who have accompanied the sitting MLA and also involved in damaging the vehicles and value of the damage is to the tune of



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Rs.12 lakhs. Hence, the case.

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, these petitioners have objected the visit of sitting MLA and the persons who have accompanied the MLA have started attacking the petitioners and they also break the vehicle and in the alleged occurrence, many have been injured and they have also lodged a counter complaint against the defacto complainant, however, no action has been taken. He further submitted that, injured in this case has been discharged from the Government Hospital and again have voluntarily admitted for the purpose of denying the rights of the petitioners to claim bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervenor submitted that there are



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photographs to show that these petitioners had blocked the Sitting MLA and also attacked the persons who have accompanied him, due to which, many were injured. Hence, he prays for dismissal of the petition.

5. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation in this case is pending. He further submitted that, 1st petitioner have some previous cases and 2nd petitioner has no previous cases. However, he opposed for grant of bail to the petitioners.

6. I have considered the submissions made on both sides and also perused the materials available on records including the AR copies and the photographs showing the petitioners attacking the victims.

7. Considering the bad antecedents of 1st petitioner, this Court is not



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inclined to grant anticipatory bail to 1st petitioner . In so far as the other 2nd

petitioner is concerned, considering the facts and circumstances of the case and the fact that the 2nd petitioner has no previous cases and, though it is submitted that the injured have not discharged from hospital, taking note of the fact that the occurrence was taken place on 04.11.2025, this Court is inclined to grant anticipatory bail to the 2nd petitioner alone.

8. Accordingly, **the 2nd petitioner is directed to deposit a sum of Rs.5,000/- to the credit of Crime No.432 of 2025 with a period of two weeks and on such deposit,** the 2nd petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate, Vaazhapadi** on condition that each of the 2nd petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties** each for a like sum to the



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satisfaction of the learned Magistrate concerned, and on further condition

that:

[a] if the 2nd petitioner fails to surrender before the concerned Magistrate within a period of ten 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 2nd petitioner 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



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 2nd petitioner in accordance with law as if the aforementioned conditions have been imposed and the 2nd 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]**;

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

24.11.2025

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To

- 1.District Munsif Cum Judicial Magistrate, Vaazhapadi.
- 2.The Inspector of Police,
Vaazhapadi Police Station,

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Salem.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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