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Crl.O.P.No.31739 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

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1. Venkatesh

2. Tamilselvan

3. Arulmani

4. Vimalraj

5. Poovizhirajan

6. Vignesh

7. Saravanan

... Petitioners

Vs.

The State represented by

The Inspector of Police,

Ethappur Police Station,

Salem District.

(Crime No.466 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners/Accused on bail in
Crime No.466 of 2025 pending on the file of the respondent Police.

For Petitioners : Mr.K.Balu



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For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

For Intervenor : Mr.S.Mahaveer Shivaji

ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.11.2025, for the offence punishable under Sections 191(2), 191(3), 296(b), 126(1), 118(1), 293, 351(3), 353(1)(b), 109(1) of BNS and Section 3 of TNPPDL Act, 1992 in Crime No.466 of 2025, registered on the file of the respondent, seeks 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 2/9



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Rs.12 lakhs. Hence, the case.

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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 bail to the petitioners.

4. The learned counsel for the intervenor submitted that there are photographs to show that these petitioners had blocked the Sitting MLA and



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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, so far as petitioners are concerned, there are 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 facts and circumstances of the case and the fact that the petitioners have no previous cases and the period of incarceration of the petitioners, though it is submitted that the injured have not discharged from



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hospital, taking note of the fact that the occurrence was taken place on 04.11.2025, this Court is inclined to grant bail to the petitioners.

6. Accordingly, **the petitioners shall deposit a sum of Rs.5,000/- each to the credit of Crime No.466 of 2025 and on such deposit**, the petitioners is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Attur** and on further conditions that:

[a] 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;

[b] the petitioners shall appear before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for



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interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of**



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Kerala [(2005)13 SCC 283];

[g] 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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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1.The Judicial Magistrate No.1, Attur.

2.The Inspector of Police,
Ethappur Police Station,
Salem District.

3.The Central Prison, Salem

4.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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