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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31997 of 2025

1. Venugopal
2. Hari Vijay @ Vijay
3. Udhayakumar

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
(Crime No.264 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.264 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.M.Kanishkaran

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The petitioners, who were apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 296(b),
351(2), 74 of BNS r/w 4 of TNPHW Act in Crime No.264 of 2025, seek
anticipatory bail.



2. The allegation against the petitioners is that on 25.10.2025, at about 12.30 p.m., when the defacto complainant was doing her official duty, the petitioners/accused caught hold of the saree of the defacto complainant and dragged her outside. Hence the present case.

3. The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Thus, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl Side) submitted that there is no previous case pending against the petitioners and the petitioners outrage the modesty of defacto complainant by caught hold of the saree of the defacto complainant and dragged her outside. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that there is no previous case pending against the petitioners, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Gudiyatham**, on condition that the 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 satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fail 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;



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K.RAJASEKAR, J.

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[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 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. The Judicial Magistrate, Gudiyatham.
2. The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.31997 of 2025