



WEB COPY



Crl.OP.No.35928 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.33051 of 2025

1. Rajiv
2. Dinesh
3. Nirmala

... Petitioners

Vs.

The State Rep by
The Inspector of Police,
Adhamangalam Pudhur Police Station,
Thiruvannamalai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of their arrest in Cr.No.104 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Thomas Edwin Fantin

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1) and 351 (3) of BNS in Crime No.104 of 2025, on the file of the respondent police seek anticipatory bail.

1/4



2. The allegations against the petitioner is that the due to property dispute, the petitioner abused and attacked the defacto complainant with a wooden stick and caused serious injuries, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that they are ready to cooperate with the investigation.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured discharged from the hospital. He further submitted that there is no previous case against the petitioner and investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioners

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, injured discharged from the hospital, no previous cases reported and investigation is pending, I am inclined to grant anticipatory bail to the petitioners.



7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on thier appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned District Munsif-Cum-Judicial Magistrate, Kalasapakkam** on condition that **each of the petitioners shall execute separate bonds for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with **two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent police everyday 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if



WEB COPY



CrI.OP.No.35928 of 20__

the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

03.12.2025

gbi

To

1. The **District Munsif-Cum-Judicial Magistrate, Kalasapakkam**
2. The Inspector of Police,
Adhamangalam Pudhur Police Station,
Thiruvannamalai District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



WEB COPY



Crl.OP.No.35928 of 20__

K.RAJASEKAR, J.
gbi

Crl.O.P.No.33051 of 2025

03.12.2025