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CRL OP No. 32685 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32685 of 2025

1. S.Elumalai
2. E.Kathiravan
3. K.Parimala
4. S.Baskar

Petitioner(s)

Vs

The Inspector of police
Pakandai Kootu Salai Police Station,
Kallakurichi District. Crime No.
204/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No. 204/2025 on the file of the respondent police.

For Petitioner(s): Mr.K Sripal
For Intervenor Mr.M.Raju

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



ORDER

The petitioners, apprehend arrest for the alleged offences under Sections 294(b), 115(2), 351(2) of BNS 2023, in Crime No.204 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The allegation against the petitioners is that, due to previous enmity between the petitioners and the defacto complainant, on the date of the alleged occurrence, the petitioners abused and assaulted the defacto complainant and caused simple injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4.The learned counsel for the Intervenor submitted that the injury sustained by the defacto complainant is grievous in nature and that he is undergoing treatment. Hence, he opposed for the grant of anticipatory bail to the petitioners.



5. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that due to previous enmity, there was a wordy quarrel between the petitioners and the defacto complainant, as a result of which, defacto complainant sustained grievous injuries. He further submitted that the injured was discharged from the hospital and there is no previous cases against the petitioners. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the submissions made on either side, there is no previous cases pending against the petitioners and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the *learned Judicial Magistrate, Sankarapuram, Kallakurichi District* on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** each, with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]*;

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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- 1.The Inspector of police
Pakandai Kootu Salai Police Station,
Kallakurichi District. Crime No.
204/2025.
- 2.The Judicial Magistrate,
Sankarapuram, Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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