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Crl.O.P.No.3317



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33175 of 2025

1.Subasakthi
2.Dhinaagaran
3.Surendran
4.Thilagavathi

... Petitioners

-VS-

State Rep by,
The Inspector of Police
Thirukuvalai Police Station,
Nagapattinam District.
(Crime No.102 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in the event of their arrest in Crime No.102 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.J.Jawahar

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



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 351(2), 74 and 324(2) of BNS,2023 in Crime No. 102 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that due to family quarrel, the petitioners attacked the defacto complainant with hands and damaged the meter box worth about Rs.1,500/-. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons, and they have been falsely implicated in this case and that they are ready to abide by any conditions as may be imposed by this Court. Hence, he prays for grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that the 3rd petitioner was arrested in this case. She further submitted that the other petitioners are not having any previous cases. However, opposed for grant of bail to the petitioners.

5.This Criminal Original Petition is dismissed in so far as the 3rd petitioner is concerned since he was arrested in this case. Considering the nature of the allegation, I am inclined to grant anticipatory bail to other petitioners (1st, 2nd and 4th petitioners) with certain conditions.



6. Accordingly, the petitioners 1, 2 and 4 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 on which the order copy made ready, before the **learned District Munsif Cum Judicial Magistrate, Thirukuvalai**, on condition that **the petitioner shall execute a separate bond 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 condition:

(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 two 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 the



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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 v. State of Kerala [(2005) AIR SCW 5560]*;

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

04.12.2025

mpa

To

- 1.The District Munsif Cum Judicial Magistrate, Thirukuvalai.
- 2.The Inspector of Police
Thirukuvalai Police Station,
Nagapattinam District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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