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Crl.O.P.No.34273 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34273 of 2025

1.Saravanan
2.Vimalraj

... petitioners

Vs.

State By,
The Inspector of Police,
Valappadi Police Station,
Salem District.
Crime No.432 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.432 of 2025 on the file of the respondent police.

For petitioners : Mr.M.Sivakumar
For Respondent : M/s.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.11.2025 for the alleged offence under Sections 191(2), 191(3), 296(b), 118(1), 351(3) of BNS and section 3(1) of TNPPDL Act, 1992, in Crime No.432 of 2025 on the file of the respondent police, 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 Rs.12 lakhs. Hence, the case.

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



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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.

He further submitted that the co-accused already granted anticipatory bail by this Court in Crl.O.P.No.31671 of 2025 dated 24.11.2025. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation in this case is pending. He further submitted that, the petitioners are having two previous cases and it is stated that both the cases were registered simultaneously and, apart from that, the petitioner is not having any other cases. However, he opposed for grant of bail to the petitioners.

5. Considering the submissions made by the learned counsel on either side, the period of incarceration undergone by the petitioners, the fact that the co-accused already granted anticipatory bail by this Court in Crl.O.P.No.31671 of 2025 dated 24.11.2025, this Court is inclined to grant bail to the petitioners, subject to certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned District Munsif Cum Judicial Magistrate, Vazhapadi* and on further conditions 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 daily at 05.30 p.m., for a period of three 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 the 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



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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 B.N.S.

15.12.2025

mpa

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 District Munsif Cum Judicial Magistrate, Vazhapadi.

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

3.The Superintendent of Police, Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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