



Crl.OP.No.34679 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34679 of 2025

1. Santhosh
2. Dhavamani
3. Santha @ Santha Mageshwari
4. Saranya

.. Petitioners

Vs.

State, rep by

The Inspector of Police,

Kilpennathur Police Station,

Thiruvannamalai District

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.308 of 2025 on the file of the respondent police.

For Petitioners : Mr.A.Venkatesan

For Respondent : Ms.J.R.Archana

Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 296(b), 118(1) and 351(3) of BNS 2023 in Crime No.308 of 2025, on the file of the respondent police seek anticipatory bail.



2. The prosecution case is that due to previous enmity regarding property dispute. Due to which, the petitioners have abused and assaulted the defacto complainant by using iron rod and caused injuries to him, which led to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have lodged the complaint against the defacto complainant regarding the very same occurrence and they are ready to cooperate with the investigation. Hence, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions she has reported that and investigation in this case is pending and it is a case and counter case. She further reported that injured discharged from the hospital and investigation in this case is pending. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of allegations and it is a case and counter case, injured discharged from the hospital and investigation is pending, this Court is inclined to grant anticipatory bail to the



petitioners, subject to certain conditions.

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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 (15) days from the date on which the order copy made, before the learned **Judicial Magistrate, Kilpennathur** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18.12.2025

Vv

To

1. The Judicial Magistrate, Kilpennathur
2. The Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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