



WEB COPY

CRL OP No. 34593 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34593 of 2025

1. Purushothaman

2. Jothi

Petitioner(s)

Vs

The State Rep by The Inspector of
Police
Thiruvalam Police Station, Vellore
District. Crime No.193 of 2025.

Respondent(s)

PRAYER

This Criminal original Petition is filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of arrest on connection with Crime No.193 of 025 pending investigation on the file of the Respondent police.

For Petitioner(s): Mr.D.Balaji

For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3), 324(4) of BNS 2023 in connection with the Cr. No.193 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that on 22.11.2025, the petitioners went to the defacto complainant's house in an intoxicated state. The first petitioner assaulted the defacto complainant using knife causing severe injuries and abused her in filthy language, while the second petitioner assisted first petitioner in the assault. Hence the case.

3. Learned counsel for the petitioners submitted that petitioners are innocent persons, and they have been falsely implicated by the respondent police and they are no way connected with the offences as alleged by the prosecution and hence he prayed to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and on instructions submitted that the first petitioner using knife, assaulted the defacto complainant, causing injuries. She further submitted that the injured has been discharged from hospital after the treatment and no criminal cases are pending against the petitioners. However, she strongly objected to grant anticipatory bail to the petitioners.

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

6. Considering the representation made by both side counsel, nature



of offence, the injured has been discharged from hospital and that no previous cases are pending against the second petitioner, and also considering all other factors, I am inclined to grant anticipatory bail to the second petitioner alone subject to the following conditions.

7. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate Katpadi, Vellore District**, on condition that the second petitioner shall execute a 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 Magistrate concerned and on further condition that:

[a] the second petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the second petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the second petitioner shall not leave India without the previous permission of the Court;

[d] the second petitioner shall not abscond 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

8. Further, on a perusal of the FIR, it reveals that the first petitioner in an intoxicated condition, using knife has assaulted the defacto complainant, due to which, she sustained severe injuries. Taking note of this overtact levelled against the first petitioner, I am not inclined to grant anticipatory bail to the first petitioner.

9. Accordingly, this Criminal Original Petition for first petitioner is dismissed.

17-12-2025

gbi

To

1. The Inspector of Police
Thiruvalam Police Station, Vellore
District.

2. The Judicial Magistrate katpadi,
Vellore District.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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