



Crl.O.P.No.34634 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34634 of 2025

1.Anbu
2. Rathinam
3. Marimuthu

... Petitioners

Vs.

State By,
The Inspector of Police,
Kadathur Police Station,
Dharmapuri District.
Crime No.249 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.249 of 2025 on the file of the respondent police.

For Petitioners : Mr.B.Vetrivel

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



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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 296(b), 115(2), 324(4), 49, 351(3) of BNS, 2023 @ Sections 329(4), 296(b), 115(2), 324(4), 49, 351(3) of BNS, 2023 and Section 4 of TNPHW Act in Crime No.249 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that on 06.12.2025, the 1st petitioner in an inebriated condition entered into the shop of the defacto complainant and attacked the staff of the defacto complainant and also threatened them with dire consequences. Further Accused No.1, went outside and attacked various persons and created panic in the market.Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the allegations are only as against the 1st petitioner and there is no overt act against the 2nd & 3rd petitioners. He further submitted that the petitioners have no previous cases and hence he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the nature of allegations against the 1st petitioner, this Court is not inclined to grant anticipatory bail to the 1st petitioner. However, considering the fact that there is no specific overt act against the 2nd & 3rd petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the 2nd & 3rd petitioners are ordered to be released on bail in the event of arrest or on is appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Pappireddipatti** on condition that each of the 2nd & 3rd petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:



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[a] if the 2nd & 3rd petitioners fails to surrender before the concerned Magistrate within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the 2nd & 3rd petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 2nd & 3rd petitioners in accordance with law as if the aforementioned conditions have been imposed and the 2nd & 3rd 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)13 SCC 283]**;

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



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To

1.Judicial Magistrate, Pappireddipatti.

2.The Inspector of Police,
Kadathur Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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