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Criminal Original Petition No.35326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

Criminal Original Petition No.35326 of 2025

1.Shanmugam
S/o.Selvam

2.Karthick
S/o.Manavalan

3.Meganathan
S/o.Manavalan

4.Janakiraman
S/o.Manavalan

... Petitioners

Vs.

State represented by
The Inspector of Police,
Achairapakkam Police Station,
Chengalpattu District.
Crime No.05 of 2024

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police pending investigation in Crime No.05 of 2024 on the file of respondent police.

For Petitioner : Mr.V.Vijayakumar

For Respondent : Mr.S.Udaya Kumar
Government Advocate [Crl.side]



ORDER

The petitioners / Accused Nos.1 to 4, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 of BNS 2023 in connection with the Cr.No.5 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 02.01.2024, the de-facto complainant was sitting with his friends, the petitioners came to the spot and picked up a quarrel with the de-facto complainant and assaulted the de-facto complainant and thereafter, the de-facto complainant escaped from the scene of occurrence and went to his house. Subsequently, the petitioners also came to his house and started a quarrel and allegedly attacked the de-facto complainant's mother. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have been falsely implicated in the case. The petitioners have not committed any such offence as alleged by the prosecution. He further submits that the petitioners are ready to abide by any stringent conditions imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the major allegation against the petitioners is that



they have assaulted the defacto complainant's mother and the investigation is still pending, however injured was discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the nature of offences, injured was discharged from the hospital and there is no previous case pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate II, Madhuranthagam, Chengalpattu District**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten 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 petitioners shall report before the respondent on every Saturday for a period of four weeks.



[b] the petitioners 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;

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

[d] the petitioners 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.

30.12.2025

Neutral Citation:Yes/No

mk/mp

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



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website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate II,
Madhuranthagam,
Chengalpattu District.
- 2.The Inspector of Police,
Achairapakkam Police Station,
Chengalpattu District.
Crime No.05 of 2024
- 3.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J

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