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Crl.O.P.No.254 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.254 of 2026

- 1.Vijay @ Vijayakumar S/o.Subramanian
- 2.Subramani S/o.Ravuthasamy
- 3.Jayaraman S/o.Pandarinathan
- 4.Sivabalan S/o.Pandarinathan

... Petitioners/ A1-4

Vs

The State Rep. By,
The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.
(Crime No.405 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.405 of 2025 on the file of the respondent police.

For Petitioners : Mr. Shunmugarajeswaran T

For Intervener : Mr.M.Vijayaragavan

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

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS Act in Crime No.405 of 2025 on the file of the respondent Police, seek



anticipatory bail.

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2. The case of the prosecution is that the petitioners had quarreled with the complainant and went to his house and abused and assaulted him with hands and sticks and threatened him with dire consequences. Hence, the *defacto* complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioners submitted that the occurrence has taken place since the complainant and others refused to give way on the road and they abused the petitioners and foisted a false case against them and are falsely implicated in this case and has not committed any offence as alleged and there is no previous case as against the petitioners; and that the petitioners are ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioners.

4. The learned counsel for the intervenor raised strong objection for the grant of anticipatory bail to the petitioners herein by stating that, the petitioners herein had involved in the quarrel and assaulted the complainant with sticks. Though, the injured got discharged from the hospital, he is still undergoing treatment.



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5. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that as per the complaint, the petitioners attacked and assaulted the complainant with sticks, due to which, he sustained injuries and injured got discharged from the hospital and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that there is no previous case as against the petitioners herein; the injured got discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on thier appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Vedaranyam**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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 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 petitioners in accordance with law as if the aforementioned 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)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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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate, Vedaranyam
2. The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.
(Crime No.405 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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