



IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED: 06-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35253 of 2025

- 1.Jayaprakash @ JP
- 2.Sankar
- 3.Sadaiyappan
- 4.Suppan @ Subramani

..Petitioner(s)

Vs

State by,
The Inspector of Police
Attur Police Station,
Salem District.
Cr.No.438/2025.

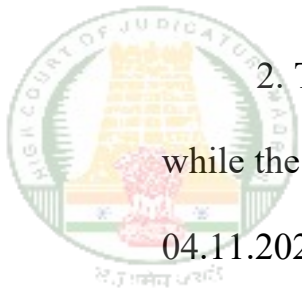
..Respondent(s)

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on Anticipatory bail in the event of his arrest, pending investigation in Cr.No.438/2025, on the file of the respondent police.

For Petitioner(s):	Mr.Ananthanarayanan, Senior Advocate For Mr.K.Balu
For Respondent(s):	Ms.J.R.Archana, Government Advocate (Crl.Side)

Order

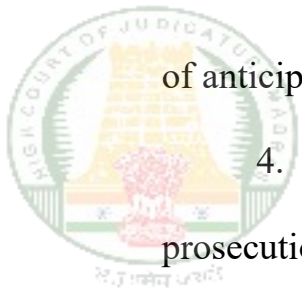
The petitioners, who apprehend arrest at the hands of the respondent police for the offence under Sections 126(2), 191(2), 296(b), 351(3) of BNS, in Crime No.438 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegations against the petitioners is that, due to intra-party enmity while the sitting member of the assembly had visited the condolence meeting on 04.11.2025, at about 12.15 hrs, 25 persons gathered together and attacked the persons who have accompanied the sitting MLA and also involved in damaging the vehicles and value of the damage is to the tune of Rs.12 lakhs. Hence, the case.

3(i). The learned Senior Counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that, these petitioners have objected the visit of sitting MLA and the persons who have accompanied the MLA have started attacking the petitioners and they also break the vehicle and in the alleged occurrence, many have been injured and they have also lodged a counter complaint against the defacto complainant, however, no action has been taken. He further submitted that, injured in this case has been discharged from the Government Hospital and again have voluntarily admitted for the purpose of denying the rights of the petitioners to claim bail.

(ii) The learned Senior Counsel appearing for the petitioners submitted that the earlier anticipatory bail petition was dismissed solely on the ground of previous cases and that most of those cases pertain to protests on public issues. He further submitted that the petitioners are not habitual offenders and that the cases against them are not grave in nature. He also submitted that the petitioners are agriculturists and, in view of the Pongal festival, they are required to attend to agricultural activities, and hence sought leniency. Hence, he prays for grant



of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the earlier anticipatory bail petition was dismissed on account of the petitioners' bad antecedents and that the value of the damage caused is huge. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

6. This Court, upon perusal of the earlier order passed by this Court and the other connected materials, had earlier taken note of the previous cases and dismissed the anticipatory bail petition. It is now submitted that the said previous cases are not serious in nature and are alleged to be politically motivated. Further, this Court had dismissed the anticipatory bail petition on 24.11.2025 in Crl.O.P.No.31672 of 2025, and thereafter, the respondent police have not chosen to take the petitioners into custody. This Court also takes note of the fact that anticipatory bail has been granted to the co-accused in the present case. Therefore, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.I, Attur***, on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), each with two



sureties, each for a like sum to the satisfaction of the respondent police or 1

police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned and on further condition that:

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(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) 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;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06-01-2026

DRL



To

1. The Public Prosecutor,
High Court, Madras.

2. The Inspector of Police
Attur Police Station,
Salem District.





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(1/2)**

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