

18.09.2024  
AD-13  
Court No.29  
TN  
(Allowed)

**CRM (A) 3325 of 2024**

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khanakul Police Station Case No. 452 of 2024 dated 04.08.2024 under Sections 126(2)/115(2)/118(2)/109/74/3(5) of the BNS, 2023.

And

In the matter of: **Sk Kamruddin Hasan and others**

.... petitioners

Mr. Suvadip Bhattacharjee,  
Mr. Balaram Patra

....for the petitioners

Mr. Niladri Sekhar Ghosh

....for the *de facto* complainant

Mr. Atif Ahmed Siddiqui

....for the State

1. Leave is given to correct the description of the petitioner no.9 in the cause title.
2. Heard the learned counsel for the parties.
3. *Prima facie*, it appears that over cultivation rights, there was a free fight between the neighbours in which the complainant and his family has suffered injury.
4. The learned counsel for the State has referred to the statement of the injured recorded under Section 164 of the Code of Criminal Procedure and the injury report.
5. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the nature of the injury which does not appear to be grievous and also taking into consideration the background facts in which such

incident had occurred, we are of the view that custodial interrogation of the petitioners is not necessary.

6. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sk. Kamruddin Hasan, Sekh. Mojammel Hossain, Sk. Anarul Islam, Sk. Jamirul Islam, Sk. Md Rafik, Sekh. Manirul Islam, Sekh. Tanjirul Islam, Sk. Nurul Islam** and **Sk. Asraful @ Bulu** respectively shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023.
7. The petitioners shall meet the Investigating Officer once in a week till submission of the final report.
8. It is further directed that the present accused petitioners shall appear before the jurisdictional court within one week from date.
9. Accordingly, the application for anticipatory bail is disposed of.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**