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Crl.O.P.No.133 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.01.2025

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.133 of 2025

1. M.Bharathy
2. M.Mano @ Ramesh
3. K.Krishnaraj
4. R.Ezhumalai

... Petitioners

Vs

The State rep. by
The Station House Officer,
Villianur Police Station,
Puducherry.
[Cr. No. 387 of 2024]

... Respondent

For Petitioner : Mr.S.Sathish
For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor

ORDER

The petitioners apprehend arrest for the alleged offences under Section 296(b), 118(1), 351(3), 3(5) of BNS in Crime No.387 of 2024, on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that due to some family dispute between the parties, the petitioners had abused the defacto complainant by using filthy language, assaulted and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are an innocent person and they have not committed any such offence as alleged by the prosecution. The petitioners have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that due to some family dispute between the parties, the petitioners had abused the defacto complainant by using filthy language, assaulted and threatened him with dire consequences and one previous case is pending against the petitioners and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioners.



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5. Considering the representations made by both sides and nature of offences charged against the petitioners and also considering the fact that there is no previous case is pending against the petitioners, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate Court-III, Puducherry*** on condition that the petitioners shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report **before the respondent police daily at 10.30 A.M. until further orders.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with



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the facts of the case so as to dissuade him from disclosing such facts of 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] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

[f] 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]***.

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

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G.R.SWAMINATHAN, J.

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