

CRL OP NO. 1082 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1082 of 2025

1. Panthalaraja
2. Sathiya
3. Rajasekar
4. Govindaraj

Petitioner(s)

Vs.

The Inspector Of Police
Karupur Police Station, Karupur, Salem District. (Crime No.9 Of 2025)

Respondent(s)

For Petitioner(s): Mr. P.Praveen

For Respondent(s): Mr. S.Santhosh, Government Advocate (Criminal Side).

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), and 351(2) of Bharatiya Nyaya Sanhita, 2023 (BNS), in Crime No.9 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that due a civil dispute, the petitioners allegedly assaulted the de-facto complainant and his family members with wooden log and sustained injuries. Hence, this case.



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3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no connection with the offence as alleged by the prosecution, and due to previous enmity, they have been falsely implicated. There are no previous cases pending against the petitioners. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners. He stated that the accused/A1 to A4 are the petitioners herein, who had allegedly assaulted the de-facto complainant, caused injuries. The accused/A1 has been arrested and is still in jail. The injured person has been discharged. Although no previous cases are pending against the petitioners, a counter-case has been filed.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to



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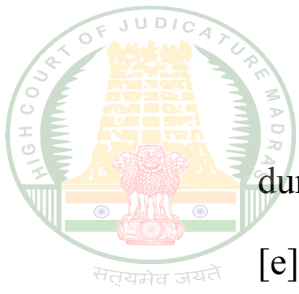
the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Salem District**, 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners and 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;

[c] the petitioners shall report before the respondent Police on every day at 10:30 A.M., for a period of two weeks and thereafter, on every Saturday at 10:30 A.M until further orders;

[d] the petitioners shall not tamper with evidence or witness either



during the investigation or during the trial;

[e] the petitioners shall not abscond either during the investigation or during the trial;

[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 were 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 abscond, a fresh FIR can be registered under Section 269 of BNS.

21-01-2025

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To

1. The Inspector Of Police
Karupur Police Station, Karupur, Salem District.
Crime No.9 Of 2025



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A.D. JAGADISH CHANDIRA, J.

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