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CrI.O.P.No.1715 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.1715 of 2025

1. R. Malathi
2. Vasanth
3. Saba Ramsamy

... Petitioners

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
Kumaratchi Police Station, Mayiladuthurai District.
(Crime No.02 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police concerned in Crime No.02 of 2025, on the file of the respondent police.

For Petitioners : Mr.S.P.Harikrishnan

For Respondent : Mr.S.Santhosh
Government Advocate (CrI.Side)



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ORDER

Apprehending arrest in connection with Crime No.02 of 2025 registered for the offences punishable under Sections 191 (2), 126 (2), 296 (b), 324 (4) and 351 (2) of BNSS and Section 3 of TNPPDL Act, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been given by the defacto complainant due to property dispute. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that due to the property dispute, the petitioners along with other accused abused and threatened the defacto complainant. He also



submits that there is no previous cases pending against the petitioner.

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4.Having heard the learned counsel for the petitioners and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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, Chidambaram on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] (i) the petitioners 1 & 2 shall report before the respondent Police at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 6.30 p.m until further orders.

(ii) the third petitioner shall report before the respondent Police at 10.30 a.m for a period of one week and



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thereafter on every Saturday at 6.30 p.m until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.

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