



Crl.OP.No.2156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2156 of 2025

1. K.Nagaraj

2. Siva

3. Sivaraj

4. Pathra Thambadi

5. B.Kalathampadi

6. Paitharaiyan

7. Naagesh

... Petitioners /Accused

Vs.

The State rep. by its Inspector of Police,
JRS Puram (Kadambur) Police Station,
Erode District
(Crime No.13 of 2025)

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.13 of 2025 on the file of the respondent police.

For petitioner : Ms.V.S.Usha Rani



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For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 329(3), 192 and 305 of BNS, 2023, in Crime No.13 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners took the deity of Bhathrakali Amman Temple located in Maakampalayam Village, Sathyamangalam Taluk, Erode District, to the forest for performing pooja, without permission and, attempted to create law and order issues, also threatened the de-facto complainant. Hence, the case.

3. Learned counsel for the petitioners submitted that there is a dispute with regard managing the Temple, and that the complaint is false and there are several cases pending between the defacto complainant and the petitioners with regard to the management of the Temple.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners would submit that the petitioners, after performing pooja, had returned the deity to the Temple. He would further submit that the dispute between the petitioners and the society regarding the administration of the temple, in W.P. No. 29392 of 2022, is pending before this Court.

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

6. Considering the nature of allegation; there is no previous case pending against the petitioners; and that custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15)



days from the date on which the order copy is made ready, before the learned Judicial Magistrate-I, Gobichettipalayam, 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 said Magistrate, on further condition that:

- [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, everyday at 10.30 a.m., until further orders;
- [c] the petitioners shall not abscond either during investigation or trial;
- [d] the petitioners shall not tamper with evidence or witness either during investigation or trial;
- [e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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*** reported in [(2005)AIR SCW 5560];

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

03.02.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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SUNDER MOHAN, J.
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To

1. Inspector of Police,
JRS Puram (Kadambur) Police Station,
Erode District
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Judicial Magistrate-I,
Gobichettipalayam.

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