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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3019 of 2025

Arun Kumar
S/o.Govindhan and 3 Others

Petitioner(s)

Vs

The Inspector of Police,
Omalur Police Station, Omalur, Salem District.
Crime No. 55 of 2025.

Respondent(s)

For Petitioner(s):

P Praveen
R.Prabudoss
C.Santhoshkumar
B.Ananth Rajan

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), 296(b), 115(2), 118(1) & 351(3) of BNS, 2023, in Crime No.55 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that a wordy quarrel occurred between the petitioners and the defacto complainant due to previous enmity; that the petitioners assaulted the defacto complainant with hands, brick and iron rod and caused injury to the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

4.The learned Government Advocate (Crl. Side) submits that due to a dispute, the petitioners attacked the defacto complainant; that there is a counter case; and that the injured persons have been discharged from the hospital.

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 the complaint and custodial interrogation of the petitioners are not required for the investigation, this Court is inclined to grant anticipatory bail to the petitioners. 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, Omalur, Salem District**, on condition that each of the petitioner 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] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioners shall not abscond either during investigation or trial.



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SUNDER MOHAN , J.

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[e] 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]**;

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

07.02.2025

Index : Yes / No

Internet : Yes / No

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To

1.The Inspector of Police,
Omalur Police Station, Omalur, Salem District.

2.The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.3019 of 2025