



Crl.O.P.No.3023 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3023 of 2025

1. Prakash, S/o. Natchimuthu
2. Jeyachitra, W/o. Prakash
3. Mayilathal, W/o. Ramasamy

...Petitioners

Vs

The State Rep by, The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District
(Crime No.27 of 2025)

...Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., 2023, praying to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.27 of 2025 on the file of the respondent police.

For Petitioner : Mr. B. Kumarasamy

For Respondent : Mr. S. Balaji
Government Advocate [Criminal side]



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ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023 r/w Section 4 of TNPHW Act 2002, in Crime No.27 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners abused the defacto complainant, her husband and another person when they went to their land and also assaulted them with a pocket knife, due to which they sustained injury and admitted in the hospital.

3. Learned counsel for the petitioner would submit that the entire allegations against the petitioners are false; that there is a civil dispute between the petitioners' family and the defacto complainant; that the second petitioner has also filed a case against the defacto complainant which has been registered in Crime No.28/2025 and the same is pending and that as a counter blast, the defacto complainant made a false complaint against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that the petitioners attacked the defacto complainant, her husband and one another person with knife; that the defacto complainant and her husband sustained injuries and admitted in the hospital and that the injured persons have been discharged from the hospital.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations; that the injured have been discharged; that it is a land dispute and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners on 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 days from the date of receipt of a copy of this order, before the learned **Judicial**



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Magistrate No.II, Udumalpet, on condition that the each of the petitioners shall execute a 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] 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 everyday at 10.30 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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 accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

07.02.2025

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To

1. The Judicial Magistrate No.II, Udumalpet.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District
(Crime No.27 of 2025)



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SUNDER MOHAN. J.,

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