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CRL OP NO. 3255 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3255 of 2025

1.S Thennarasu
2.Nijendiran
3.Lenin
4.Vinoth
5.Madurai Veeran
6.Balu

Petitioners

Vs

The State rep by its, The Sub Inspector of
Police Kilpennathur Police Station,
Thiruvannamalai District Crime No 19 Of
2025

Respondent(s)

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on
anticipatory bail in the event of arrest in Crime No.19 Of 2025 pending
on the file of the respondent police.

For petitioners: Mr.P Jayachandran

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

ORDER

The petitioners, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 191(2),
191(3), 296(b), 126(2), 131, 132, 329(4) and 351(3) of the BNS 2023, in



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Crime No.19 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with the other accused persons had wordy quarrel with the *de facto* complainant and started to attack him, he was chased by the accused and in order to save himself, he went inside the respondent police station. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case; the petitioners are ready to abide by any condition that may be imposed by this Court; the co-accused were arrested and released on bail; and that the custodial interrogation is not required in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that there are no previous case as against the petitioners.



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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, the co-accused were arrested and released on bail and custodial interrogation of the petitioners are not required for the investigation, this Court is inclined to grant anticipatory bail to the petitioners. However, granting anticipatory bail to the petitioners is likely to create law and order issue in the place of occurrence, therefore, anticipatory bail is granted subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Munsiff cum Judicial Magistrate, Kilpennathur, Thiruvannamalai District** 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, failing



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which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall stay at Trichy and report before the Cantonment Police Station for a period of two weeks at 10:30 a.m., and thereafter, 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.

[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.

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vca

To



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1. The Munsiff cum Judicial Magistrate,
Kilpennathur, Thiruvannamalai District
2. The State rep by its, The Sub Inspector of Police
Kilpennathur Police Station,
Thiruvannamalai District
Crime No 19 Of 2025
3. The Public Prosecutor,
High Court, Madras



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SUNDER MOHAN,J.

Vca

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