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CRL O.P. No.3732 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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1. Mohamed Aadhif S/o. Salim Khan
2. Salman S/o. Sulthan
3. Mohamed Imran S/o. Rafiq Khan Petitioners / Accused-1-3

Vs

State rep. by:-

The Inspector Of Police,
H-1 Police Station,
Chennai District. ... Respondent
[Cr. No.108 of 2025]

PRAYER:- The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in Crime No.108 of 2025 on the file of the respondent police.

For Petitioner : Mr. Velmurugan for
Mr. Sarathkumar Gajendran

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

ORDER



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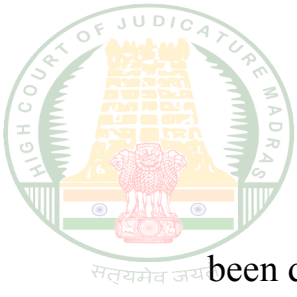
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The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offence punishable under Section 296(b), 115(2), 118(1) and 351(3) of B.N.S. in connection with the case in Crime No.108 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners recorded the video of the defacto complainant consuming liquor in a public place and when the defacto complainant questioned, the petitioners attacked him with wooden log.

3. Learned counsel for the petitioners would contend that petitioners had protested and therefore, in order to take vengeance, the instant complaint has been lodged against the petitioners and that in any case, custody of the petitioners is not required and hence prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and on instructions, would submit that injured has



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been discharged from the hospital and investigation is still pending.

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

7. Considering the aforesaid facts, the nature of allegations, the fact that the injured is discharged from the hospital and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

8. 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 **XV Metropolitan Magistrate, George Town, Chennai** on condition that the petitioners shall each 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



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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.

[b] the 1st petitioner shall report before the respondent police as and when required for interrogation.

the 2nd and 3rd petitioners shall appear before the respondent police twice a week i.e., on Monday and Thursday at 10.30 a.m. for a period of two weeks and thereafter, as and when required by the respondent police for interrogation;

[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



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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].

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

17.02.2025

mjs

To

- 1.The XV Metropolitan Magistrate, George Town, Chennai
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, H-1 Police Station, Chennai District.

SUNDER MOHAN. J.,

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