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CRL O.P. No.3708 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3708 of 2025

1. Raja Goundar S/o. Kandappa Goundar
2. Thangammal W/o. Raja Goundar Petitioners / Accused-1 & 2

Vs

State rep. by:-

The Inspector Of Police,
Konganapuram Police Station,
Salem District. ... Respondent
[Cr. No.39 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.39 of 2025 on the file of the respondent police.

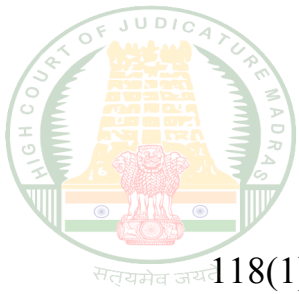
For Petitioner : Mr. Kaithamalai Kumaran.S.

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

ORDER

The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offence punishable under Section 296(b),

1/6



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118(1), 351(2) and 133 of B.N.S. in connection with the case in Crime

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No.39 of 2025, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity with regard to pathway, when the petitioners along with co-accused, questioned the formation of mud road over his property, quarrel arose between the parties. Further, the petitioners abused the defacto complainant in filthy language, threatened to kill him and also pelted stones on him.

3. Learned counsel for the petitioners would contend that this is the case of wordy altercation due to land dispute and that custodial interrogation is not required, since the injured was discharged from the hospital 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 there is land dispute between the defacto complainant and the petitioners, and injured



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has been discharged from the hospital.

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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 nature of allegations, the fact that there is land dispute between the parties, 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 **Judicial Magistrate, Edappadi** 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



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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:

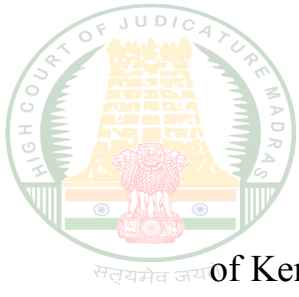
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required 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 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



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of Kerala [(2005)AIR SCW 5560].

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[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 Judicial Magistrate, Edappadi
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Konganapuram Police Station, Salem District.

SUNDER MOHAN. J.,

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