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CRL OP No. 16348 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16348 of 2025

1. M.Muniyappan

2. M.Alli Muthu

3. M.Chandra

Petitioner(s)

Vs

1. The State Represented by
The Inspector of Police, Palacode
Police Station, Dharmapuri District.
FIR No.220 of 2024

Respondent(s)

PRAYER : This Criminal Original Petition is filed 482 BNSS 2023 to enlarge the petitioners on Anticipatory Bail in the event of their arrest in FIR.No.220 of 2024 on the file of the respondent police.

For Petitioner(s): Mr.C.Palanisamy

For Respondent(s): Mr.R.Vinothraja Govt Advocate
(Crl. Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 118(1), 351(2) BNS Act 2023 in Crime No.220 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.06.2024, during the land survey, the petitioner allegedly abused the defacto complainant with obscene words and assaulted them with a stone, causing a head injury. Hence, the case.

3. The learned counsel for the petitioners submit that this Court had earlier granted anticipatory bail to the petitioners on October 4, 2024, in CrI.O.P.No.24618 of 2024, subject to certain conditions, but due to the petitioners' failure to execute the sureties within the stipulated time, they filed a petition for extension of time, and this Court by an order dated 02.12.2024, vide CrI.M.P.No.16876 of 2024, granted further two weeks time to comply with the order; however, due to the delay in obtaining the original order copy, the



anticipatory bail granted to the petitioners on October 04, 2024 was cancelled,
and the petitioners are now seeking a second anticipatory bail.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution, confirmed the aforesaid facts and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides, nature of the allegations and since, custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 on which the order copy made ready, before **the Judicial Magistrate Court, Palacode**, on condition that the petitioners shall execute a bond for a sum of **Rs.5,000/- (Rupees Five Thousand only) with two common sureties** 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] **the petitioners shall report before the respondent Police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;**



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[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make himself available for interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

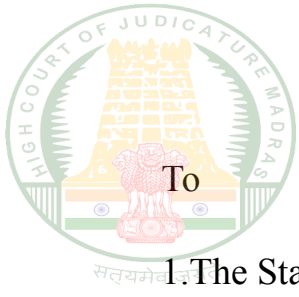
[g] the petitioners shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

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

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To

1. The State Represented by
The Inspector of Police, Palacode
Police Station, Dharmapuri District.
FIR No.220 of 2024.

2. The Judicial Magistrate Court,
Palacode.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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