



CRL O.P. No.3974 of 2025

Crl.O.P.No.3974 of 2025

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SUNDER MOHAN. J.,

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that on 17.02.2025, this Court had granted anticipatory bail to the co-accused/A1 and A2 in Crl.O.P.No.3708 of 2025 on condition that the petitioners therein shall report before the respondent police as and when required for interrogation. He further submitted that on the same day, the petitioner herein/A3 was granted anticipatory bail in Crl.O.P.No.3974 of 2025, wherein the petitioner was directed to report before the respondent police daily at 10.30. a.m., until further orders. Thus, he prayed for suitable directions.

3. Considering the submissions made by the learned counsel for the petitioner, Registry is directed to issue order copy afresh forthwith, by amending paragraph No.8[b] of the order as follows:

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

28.02.2025

Issue order copy by 03.03.2025

Upload order copy forthwith

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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Sekar S/o. Arthanaari Petitioners / Accused-3

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 petitioner/ Accused in Crime No.39 of 2025 on the file of the respondent police.

For Petitioner : Mr. Izaz Ahamed.T

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

ORDER

The petitioners / Accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Section 296(b), 118(1), 351(2) and 133 of B.N.S. in connection with the case in Crime

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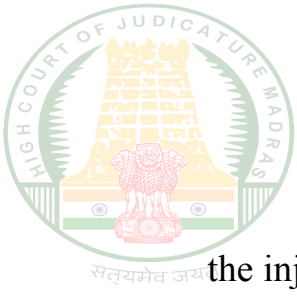
No.39 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that due to previous enmity with regard to pathway between the accused 1 & 2 and the defacto complainant, when the petitioner along with co-accused A 1 and A2, questioned the formation of mud road over the property, quarrel arose between the parties. Further, the petitioner along with other accused abused the defacto complainant in filthy language, threatened to kill him and also pelted stones on him.

3. Learned counsel for the petitioner would contend that this is the case of wordy altercation due to land dispute between the defacto complainant and the accused 1 and 2; that the petitioner has nothing to do with the other accused; and that custodial interrogation is not required, since the injured was discharged from the hospital and hence prayed for anticipatory bail to the petitioner.

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 accused 1 and 2, and



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the injured has been discharged from the hospital.

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6. 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.

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 petitioner on certain conditions.

8. Accordingly, the petitioner is 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 **Judicial Magistrate, Salem** 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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

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17.02.2025