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Crl.O.P.No.4064 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.4064 of 2025

1. Murali,
S/o. Magendiran.
2. Appu,
S/o. Govindaraj

Petitioners(s)

Vs

The State Rep.by,
Inspector of Police, Tirupattur Taluk Police Station, Tirupattur District.
(Crime No.37 of 2025)

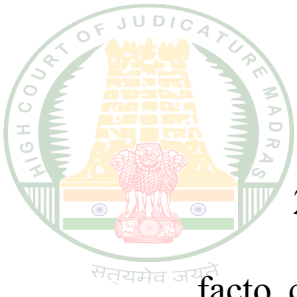
Respondent(s)

For petitioners(s): Mr. E. Kannadasan

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) of the Bharatiya Nyaya Sanhita, (BNS), 2023, (under Sections 294(b) 323 324 of I.P.C.), in Crime No.37 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that due to a quarrel between the defacto complainant and the petitioners, the petitioners abused the defacto complainant in filthy language and also physically assaulted him with hands and caused bleeding injuries. Hence, the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and a false complaint has been filed against these petitioners, due to a wage dispute. Further, he submitted that there are no previous cases pending against these petitioners and that the injured has also been discharged from the hospital. Therefore, he prays for the grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side), per contra, reiterates the case of the prosecution and submits that this case involves a wage dispute between the employer and the employee and that the injured has been discharged from the hospital and that no previous cases are pending against these petitioners.



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5. 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.

6. Considering the nature of allegations and the facts and circumstances of the case, and also considering the fact that the injured has been discharged from the hospital, and since the custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

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 of receipt of a copy of this order, before the **Judicial Magistrate No.I, Tirupattur**, on condition that each petitioner shall 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 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:



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[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 everyday at 10:30 A.M., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during the investigation or during the trial;

[d] the petitioners shall not abscond either during the investigation or during the 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 was 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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SUNDER MOHAN, J.

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