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Crl OP No.4018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4018 of 2025

1. Venkatajalam
2. Ayyammal

Petitioner(s)

Vs

The State rep. By, The Inspector of Police,
Konganapuram Police Station. Salem District.
(Crime No.29 of 2025)

Respondent(s)

For Petitioner(s):

Franklin J

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), 118(1), 115(2) and 351(3) of BNS 2023 in Crime No. 29 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on 21.01.2025 at about 12.45



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p.m, when the defacto complainant was called by his brother/1st petitioner through phone to measure the land, and when he arrived at his land, there was a wordy quarrel between the petitioners and the defacto complainant, after which, the petitioners attacked the defacto complainant with iron rod and caused injuries to him. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and due to land dispute, they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, on instructions submitted that the injured has been discharged from the hospital; and that A2 was arrested and released on bail.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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6. Considering the fact that the injured has been discharged from the hospital, nature of allegation against the petitioners and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions

(a) 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 **District Munsif cum Judicial Magistrate, Edapadi**, on condition that the petitioners shall execute a 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m, until further orders.

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



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[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 of Kerala [(2005)AIR SCW 5560]**;

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

17-02-2025

drl

To

1. The Inspector of Police,
Konganapuram Police Station.
Salem District.



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SUNDER MOHAN, J

drl

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