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Crl OP No.4530 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4530 of 2025

1. P.Sudhakar
2. S.Guru @ Guru Prasath ... Petitioners

Versus

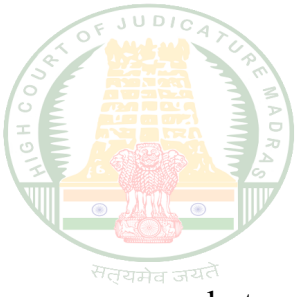
State rep.by
The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District. ... Respondent
Crime No.49 of 2025.

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S Act 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Cr.No.49 of 2025 on the file of the respondent police.

For petitioners : Mr.V.Manimaran
For Respondent : 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) and 351(3) of BNS in Crime No.49 of 2025, on the file of the respondent police, seeks anticipatory bail.



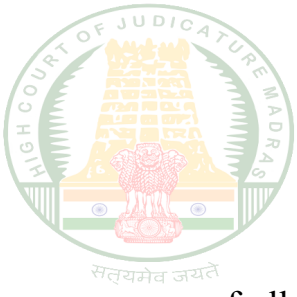
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2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant and that the petitioners under the influence of alcohol abused and attacked the defacto complainant with wooden stick. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocents; that they have been falsely implicated in this case and prayed for anticipatory bail for the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital and there is one previous case against the petitioners.

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

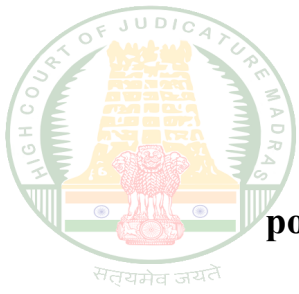


6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the injured has been discharged, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with 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 on which the order copy made ready, before **the learned Judicial Magistrate I, Walajapet**, on condition that the petitioners 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 condition 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



Crl OP No.4530 of 2025

police station daily at 10.30 a.m., until further orders;

[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 petitioner 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 B.N.S.

20.02.2025

Vv

To

1. The Judicial Magistrate-I, Walajapet
2. The The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

SUNDER MOHAN, J.



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Crl OP No.4530 of 2025

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