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CRL OP NO.5523 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.5523 of 2025

1. Veerappan A2
2. Karthi M A4
3. Prabhu A6
4. Chitra A7
5. Pappathi A8

Petitioners

Vs

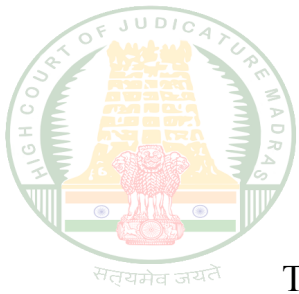
The State Rep By
The Inspector of Police,
Konganapuram Police Station,
Salem.
(Crime No.31 of 2025)

Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on anticipatory bail in the event of arrest in Crime No. 31 of 2025 pending on the file of the respondent police.

For Petitioners	:	Mr.Franklin J
For Respondent	:	Mr.S.Santhosh, Government Advocate (Crl.Side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 324(4), 296(b), 118(1), 115(2) and 351(3) of the BNS in Crime No.31 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on account of prior enmity, the petitioners threatened the defacto complainant, abused in filthy language and attacked him.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; that the petitioners have no bad antecedents and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.

4. The 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 injured has been discharged from the hospital and that the petitioners have no bad antecedents.

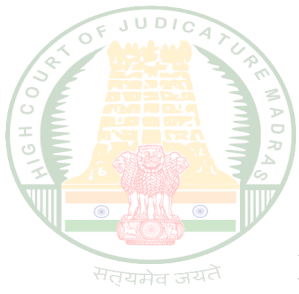


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5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, that the petitioners have no bad antecedents 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 District Munsif and Judicial Magistrate, Edapadi** 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 first, second and third petitioners shall report before the District Munsif and Judicial Magistrate, Edapadi everyday at 10:30 a.m., until further orders and the fourth and fifth petitioners shall report before the respondent police as and when required.

[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 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 B.N.S.

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To

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

(Crime No.31 of 2025)

2.The District Munsif and Judicial Magistrate, Edapadi

3.The Public Prosecutor,
High Court Madras.



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SUNDER MOHAN, J.

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