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Crl.O.P.No.5434 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

Crl.O.P.No. 5434 of 2025

1. Krishnan
2. Tamilvanan
3. Manikannan

...Petitioners/A1-3

Vs.

State represented by
Inspector of Police
Srimushnam Police Station
Cuddalore District

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.10 of 2025, pending on the file of the respondent police.

For Petitioners	:	Mr. M. Elumalai
For Respondent	:	Mr. Leonard Arul Joseph Selvam Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(1), 351(3), & 109 of BNS Act, in Crime No.10 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity regarding



land dispute, the petitioners attacked the *de facto* complainant with an iron rod and a knife. Hence, the case.

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3. The learned counsel for the petitioner would submit that there is a civil dispute between the parties, who are close relatives and the petitioners have not committed any offence as alleged by the prosecution. He would further submit that even as per the prosecution, the injured has been discharged from the hospital. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, on instructions, submitted that the injured has been discharged from the hospital.

5. Considering the nature of allegation; that the victim was also discharged from the hospital; and that custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.II, Vridhachalam**, on condition that each petitioner 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



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who intends to arrest or to the satisfaction of the said Magistrate, 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 Aadhaar 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.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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]*.

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

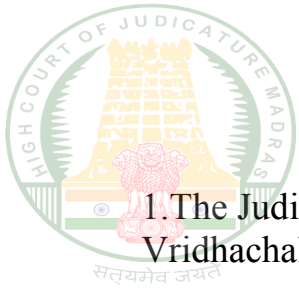
27.02.2025

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SUNDER MOHAN,J.

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To



Crl.O.P.No.5434 of 2025

1.The Judicial Magistrate No.II
Vridhachalam

2.The Inspector of Police
Srimushnam Police Station
Cuddalore District

3.The Public Prosecutor
High Court of Madras

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