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Crl OP No.5332of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 27.02.2025

CORAM :

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.5332of 2025

1. Prabu  
2. Ganesan  
3. Pappathi @ Pappathiammal ... Petitioners

Versus

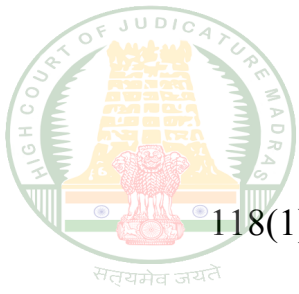
The State of Tamilnadu  
through the Inspector of Police,  
Nallur Police Station,  
Namakkal District. ... Respondent  
(Crime No.25 of 2025)

**Prayer:** Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest in Cr.No.25 of 2025 on the file of the respondent police.

For petitioners : Mr.Deepan Uday  
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 296(b),



118(1), 351(3) and 85 of BNS in Crime No.25 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the first petitioner got married to the defacto complainant and that the divorce petition is also pending before the Sub Court Paramathi; that on 15.02.2025, the petitioner and other accused pursuant to the wordy quarrel attacked the defacto complainant with wooden logs and also abused her in filthy language.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the complaint has been lodged only to on list the 1<sup>st</sup> petitioner and live into terms with the divorce petition and that the 2<sup>nd</sup> and 3<sup>rd</sup> petitioners have nothing to do with the offence and submitted that in any case, the custodial interrogation of the petitioners is not required. Therefore, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that it is a case of matrimonial dispute.



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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.

6. Considering the aforesaid facts and nature of allegations and the relationship between the parties, this court is of the view that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

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 is made ready, before the ***Judicial Magistrate Court, Paramathi*** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 1<sup>st</sup> petitioners shall report before the respondent police station twice a week. i.e., on every Monday and Saturday at 10.30 a.m., until further orders and the 2<sup>nd</sup> and 3<sup>rd</sup> petitioner shall report before the respondent police as and when required for interrogation;**

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

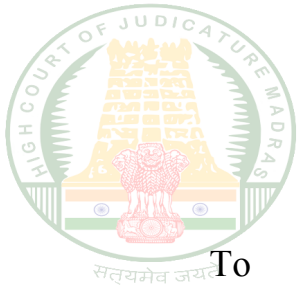
[d] the petitioners shall not abscond either during investigation or trial.

[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 are 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 BNS.

27.02.2025

Vv



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To

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1. The Judicial Magistrate Court, Paramathi
2. The Inspector of Police,  
Nallur Police Station,  
Namakkal District.
3. The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**SUNDER MOHAN, J.**

Vv

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