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Crl OP No.5268 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5268 of 2025

1. Anbu
2. Murugesan
3. Sai Singaravelan
4. Angeswaran

... Petitioners

Versus

State Rep.by
The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
Cr.No.29of 2025

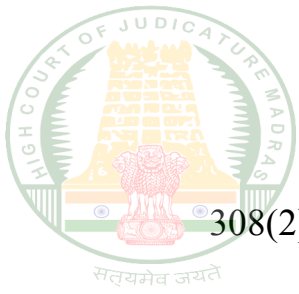
... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of arrest in connection with Cr.No.29 of 2025 on the file of the respondent police.

For petitioners : Mr.R.C.Paul Kanagaraj
for Siva Kumar
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) and



308(2) of BNS, 2023 in Crime No.29 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is running a lorry transport business in the name and style of KM Traders; that his lorry was transporting brick stones from Palani to Pollachi; that at a junction in Madathukulam, the petitioners intercepted the lorry, threatened the lorry driver and told that this stone was illegally transported to Kerala and demanded Rs.20,000/- and made him to pay Rs.10,000/- .

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the first petitioner is a practising Advocate and the dispute was with regard to the manner in which the lorry driver was driving in a road and the wordy quarrel has been exaggerated and the false case has been foisted and 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 confirmed the fact the first accused is a practising Advocate and there are no previous cases against the petitioners.

5. Heard the learned counsel for the petitioner and the learned



Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the nature of allegations and the fact that there are no bad antecedents against the petitioners and since this court is of the view that the custodial interrogation of the petitioners is not required, 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 ***learned District Munsif-Cum-Judicial Magistrate, Madathukulam*** 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:

[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 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 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

To

1. The District Munsif-Cum-Judicial Magistrate Court,
Madathukulam.
2. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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