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CRL OP NO. 5465 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 5465 of 2025

1. Sathiyamoorthy (A1)
2. Vinayamoorthy (A3)
3. Kathiravan (A4)
4. Bakkiaraj (A2)

petitioners /A1 to A4

Vs

The State Rep By
The Inspector of Police
Nettapakkam Police Station,
Puducherry.
(Crime No.18 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. 83 of 2025 pending on
the file of the respondent police.

For petitioners	:	Mr.Muthupandi V Mr.A.Anandhraj Mr.M.Manjula
For Respondent	:	Mr.Mr.Ramachandra Murthy Additional Public Prosecutor, Government of Puducherry



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(ii), 118(i) and 351(iii) r/w 3(5) of the BNS Act in Crime No.18 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the de facto complainant went to attend nature's call, the petitioners picked up quarrel , assaulted and abused him in filthy language

3. The learned counsel appearing for the petitioners would submit that the allegations against the petitioners are false and that in any case custodial interrogation of the petitioners is not required for the purpose of investigation and sought of anticipatory bail.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and on instructions would submit that the injured was treated as out patient and was



discharged; that there are three previous cases against the first and the third petitioners and the second and the fourth 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 aforesaid submissions, the nature of allegations, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate I, Puducherry** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand**



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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.

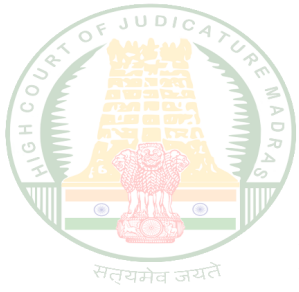
[b] the first and third petitioners shall stay at Kalapet and report before the Kalapet Police Station at 10:30 a.m., in the morning and at 5:30 p.m., in the evening for a period of two weeks and thereafter, as and when required.

[c] the second and fourth petitioners shall report before the respondent police as and when required.

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

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

[f]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



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down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

06.03.2025

vca

To
The Inspector of Police
Nettapakkam Police Station,
Puducherry.
(Crime No.18 of 2025)
2.The Judicial Magistrate I,Puducherry
3.The Public Prosecutor,
High Court Madras.



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SUNDER MOHAN, J.

vca

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