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CRL OP No. 6231 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6231 of 2025

1.Muniyappan

S/o Alagappan,

2.Mathubalan @ Madhubalan

S/o Muniyappan

Petitioner(s)

Vs

The State represented by

The Inspector of Police

Ethappur Police Station, Salem District

(Cr.No.73/ 2025)

Respondent(s)

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PRAYER

To enlarge the Petitioners on bail in the event of his arrest in Crime No.73 of 2025 on the file of Ethappur Police Station, Salem and pass such other or further orders as this Hon'ble Court deem fit and proper in the circumstance of this case.



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For Petitioner(s): M/s. Ganesan T

For Respondent(s): Mr. S. Santhosh,
Government Advocate

ORDER

The petitioners / A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126, 296(b), 118(1) and 351(3) of BNS (341, 294(b), 323, 506 of IPC) in Crime No.73 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioners are father and son; that on account of previous enmity regarding civil dispute between the defacto complainant and petitioners, the petitioners had waylaid the defacto complainant, abused and assaulted on his head with iron rod and thus, committed the aforesaid offence.

3. Learned counsel appearing for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution



and they have been falsely implicated in this case 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 submitted that the petitioners have no previous case. It is further submitted that it is a case and case in counter and the injured has been discharged from the hospital.

5. Considering the nature of allegations, the fact that the petitioners have no bad antecedents and the injured is discharged from the hospital and there is a case and case in counter and since custodial interrogation of the petitioners are not required, 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 days from the



date on which the order copy is made ready, before the *learned Judicial*

Magistrate No-I, Attur 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 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 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 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



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appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

05-03-2025

AT

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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SUNDER MOHAN, J.

AT

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To

1. The State represented by
The Inspector of Police
Ethappur Police Station Salem District
(Cr.No.73/ 2025)

Crl. O.P. No. 6231 of 2025