



Crl.OP.No.6434 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6434 of 2025

1.Askar @ Askar Ali
2.Thoupic Raja

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
Thiruppur South Police Station,
Tiruppur City, Tiruppur District.
(Crime No.231/2025)

.. Respondent

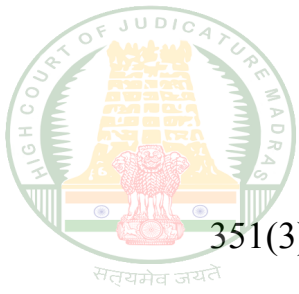
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of their arrest in Crime No.231 of 2025 on the file of the respondent Police.

For Petitioner : M/s.Sudhakar Kannusamy

For Respondent : Mr.S.Santhosh
Govt. Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Section 296(b), 115(2), 118(1),



351(3) of BNS. (Section 294(b), 323, 324, 506 of IPC) in Crime No.231 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners entered the Godown where the defacto complainant was working, and that when the defacto complainant questioned them, the 1st petitioner attacked the defacto complainant with an iron rod, and the 2nd petitioner attacked him with his hands.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital; that the petitioners have no bad antecedents.

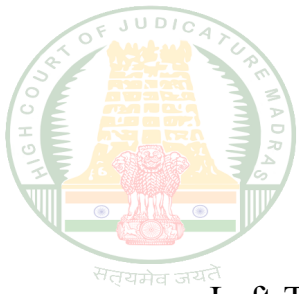


5. Heard the learned counsel for the petitioners and the learned

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

6. Considering the nature of allegations, the fact that the injured has been discharged from the hospital, the petitioners have no bad antecedents, and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 Judicial Magistrate No.II, Tiruppur**, on condition that the 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 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:



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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 petitioners shall report before the respondent police 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 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.

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Index : Yes / No
Internet : Yes / No
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To

- 1.The Inspector of Police,
Thiruppur South Police Station,
Tiruppur City, Tiruppur District.
- 2.The learned Judicial Magistrate No.II,
Tiruppur
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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