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Crl.OP.No.6334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.03.2025

CORAM:

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

CRL O.P. No.6334 of 2025

1. Ramesh
2. Chandran
3. Abilesh
4. Marimuthu

... Petitioners/Accused - A1 to A4

Vs

The State Rep. by
The Inspector of Police,
Ethappur Police Station,
Salem District.
(Crime No.80 of 2025)

...Respondent/Complainant

Maduraiveeran

...*De-facto* complainant/Intervenor/Petitioner

[Permitted to intervene vide order dated 10.03.2025 of this Court [SMJ] made in Crl.M.P.No.4463 of 2025 in Crl.O.P.No.6334 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., 2023, praying to enlarge the petitioners on bail in the event of arrest in Crime No.80 of 2025 pending on the file of the respondent.

For Petitioners : Mr.Camyles Gandhi W



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For Respondent : Mr.S.Santhosh
Government Advocate
[Criminal side]

For Intervenor : Mr.Camyles Gandhi W

ORDER

The petitioners/accused 1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 326(g) of the BNS Act, in Crime No.80 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant was selected as a Dharmakartha; that alleging misappropriation, the petitioners had quarrelled with the *de-facto* complainant and there was a wordy quarrel arose between them; that they attacked each other and they caused damage to the cattle shed of the *de-facto* complainant; and that the *de-facto* complainant also sustained burn injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the



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allegations are false; that the offences did not take place in the manner alleged by the prosecution; that a counter complaint was lodged by the petitioners against *de-facto* complainant, which was registered in Crime No.89 of 2025 for the offences under Sections 189(2), 296(b) and 115(2) of the BNS. He further submitted that in any case, the custodial interrogation of the petitioners are not required and sought for anticipatory bail.

4. The learned counsel for the *de-facto* complainant however submitted the *de-facto* complainant has sustained burn injuries; that the petitioners are responsible for the same and opposed the grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that there is counter case, registered against the *de-facto* complainant in Crime No.89 of 2025 as stated earlier; and that the petitioners have no bad antecedents.

6. Considering the aforesaid facts, the nature of allegations, the fact that there is a case in counter and since the custodial interrogation of the



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petitioner 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 of receipt of a copy of this order, before the learned **Judicial Magistrate – I, Attur** on condition that each petitioner shall execute a separate 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 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 stay at Tiruppur and report before the Palladam Police Station, Tiruppur daily at 10.30 a.m., until further orders ;

[c] the petitioners shall not tamper with evidence or



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

10.03.2025

(2/2)

Index : Yes / No
Internet : Yes / No

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To

1.The Judicial Magistrate – I,
Attur.



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2.The Inspector of Police,
Ethappur Police Station,
Salem District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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