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CrI.O.P.No.7887 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.7887 of 2025

1.P.Boopathy
2.B.Shanthy
3.B.Ramkumar

...Petitioners/Accused 2, 4 & 1

Vs.

The State rep. by
The Inspector of Police,
Kannagi Nagar Police Station,
Pallikaranai.

(Crime No.6 of 2025)

....Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on anticipatory bail pending investigation of the case in the Crime No.6 of 2025 on the file of the respondent police.

For Petitioners : Mr.Mohamed Uduman

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

ORDER



This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent, seeking anticipatory bail in Crime No.6 of 2025 registered for the offence under Sections 74, 191(3), 331(2), 324(2), 115(2) and 351(3) of BNS, 2023.

2.The case of the prosecution is that due to previous enmity on account of property dispute, the petitioners abused the defacto complainant in filthy language and trespassed into his house and assaulted him with hands, due to which, the defacto complainant sustained injuries and admitted to hospital. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; that the petitioners have no bad antecedents and that the injured has been discharged from the hospital and since custodial interrogation of the petitioners is not required for the purpose of investigation, he sought for grant of anticipatory bail.



4. Learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case, confirming the fact that the petitioners have no bad antecedents and the injured has been discharged from the hospital.

5. Considering the nature of allegations against the petitioners and the fact that the injured has been discharged from the hospital; that the petitioners have no bad antecedents and since custodial interrogation of the petitioners is not required for the purpose of investigation, 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 of receipt of copy of this order, before the learned **Judicial Magistrate No.II, Alandur**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 said Magistrate, on further condition that:



[a] 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, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

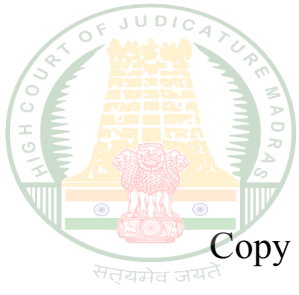
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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 B.N.S.

18.03.2025

rkp



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- 1.The Inspector of Police,
Kannagi Nagar Police Station,
Pallikaranai.
- 2.The Judicial Magistrate No.II, Alandur.
- 3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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