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CRL OP No. 7928 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7928 of 2025

1. Paramasivam

S/o.Govindapillai,
D.No.263/1,Pallikuda Street,
Thalavaipatti, Salem-
636109.D.No.263/1,Pallikuda Street,
Thalavaipatti, Salem-636109.

2. Sathya

W/o.Periyasami,
D.No.279,Mariyammal Kovil Street,
Dalavaipatty Post, Attur Taluk, Salem-
636109

Petitioner(s)

Vs

State Rep By

The Inspector of Police,
Ethappur Police Station,
Salem Distirct.
Crime No. 85 of 2025

Respondent(s)



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PRAYER

To enlarge the Petitioners on bail in event of their arrest in Crime No.85 of 2025 pending investigation on the file of the respondent Police, and thus render Justice.

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 117(2) and 351(3) of BNS (294(b), 323, 324, 325 and 506(2) of IPC) in Crime No.85 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, on account of previous enmity regarding land dispute, the petitioners / A1 & A3 attacked defacto complainant and his mother with hands and other accused with knife and thus, committed the aforesaid offence.

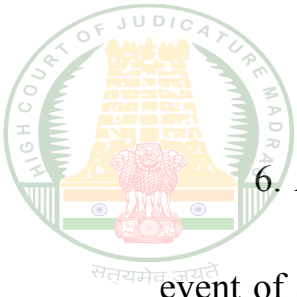


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3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioners.

4. 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 the defacto complainant's mother had fracture and subsequently discharged from the hospital. He further submitted that the petitioners have no previous case.

5. Considering the nature of allegations, the fact that the age of the first petitioner is 66 years old and second petitioner is a lady and attacked with hands, the fact that the injured has been discharged from the hospital and since custodial interrogation of the petitioners is not required, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 made ready, before **the learned Judicial Magistrate-I, Attur, Salem District**, on condition that the petitioners 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 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 petitioner shall report before the respondent police once in a week and the second petitioner 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.



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[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 of B.N.S.

18-03-2025

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.State Rep By The Inspector of Police
Ethappur Police Station, Salem Distirct.
Crime NO. 85 of 2025
D.No.263/1,Pallikuda Street,
Thalavaipatti, Salem-636109.

CrI. O.P. No. 7928 of 2025

18.03.2025