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CRL OP No. 8079 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8079 of 2025

1. Palanisamy

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District

2. Chellappan

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District

3. Indharani

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District

4. Shalini

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District

5. Dheepa

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District



6. Minika

Vetuvapatti, Vellarivelli

Village, Edappady Taluk, Salem District

Petitioner(s)

Vs

1. State Rep. By
The Inspector Of Police,
Poolampatty Police Station,
Salem District. Crime No.50 of 2025

Respondent(s)

CRL OP No. 8079 of 2025

PRAYER

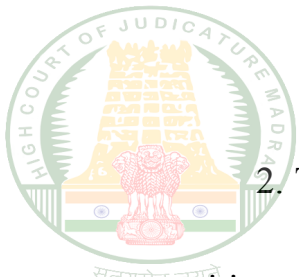
To grant the anticipatory bail to the petitioners in the event of arrest in connection with Crime No.50 of 2025 on the file of respondent police and thus render justice.

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For Petitioner(s): Ms. K. Komala
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 191(2), 296(b), 74, 115(2), 324(3), 351(3) of BNS, 2023 in Crime No. 50 of 2025, on the file of the respondent police, seek anticipatory bail.



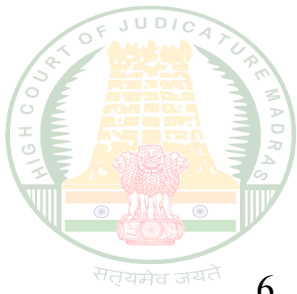
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2. The case of the prosecution is that, due to fencing dispute between the petitioners and the defacto complainant, the petitioners / A3 & A4 attacked the defacto complainant with stones and other accused attacked with hands; and that the petitioners had damaged fence worth about Rs.1 lakh. Hence, the case.

3. 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 for the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that there is a counter case and injured has been discharged from the hospital.

5. Considering the nature of allegations, the fact that the injured has been discharged from the hospital, the fact that there is a counter case 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Munsif cum Judicial Magistrate, Edappady**, on condition that the petitioners shall execute 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 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.



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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 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.

19-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.State Rep. By

The Inspector Of Police, Poolampatty

Police Station, Salem District. Crime

No.50 Of 2025



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SUNDER MOHAN, J.

AT

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