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CRL O.P. No.8093 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.03.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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1. Dharman S/o. Late Annamalai
 2. Munusamy S/o. Jayavel
 3. M. Revathi W/o. Munusamy
 4. Gowri D/o. Nadaraj
 5. Valarmathi W/o. Late Annamalai
 6. Shanthi W/o. Elumalai
- ... Petitioners / Accused

Vs

State rep. by:-

The Inspector of Police,
C5 Vengal Police Station,
Thiruvallur District.
[Cr. No.89 of 2025]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused in Crime No.89 of 2025 on the file of the respondent police.

For Petitioner : Mr. K.G. Senthil Kumar
For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]



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ORDER

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of B.N.S. and Section 4 of Tamil Nadu Women Harassment Act in connection with the case in Crime No.89 of 2025, seek anticipatory bail.

2. The case of the prosecution is that due to the dispute with regard to the sharing of the property, the accused unlawfully assembled, abused and assaulted the defacto complainant and others, threatened them of dire consequences and caused injuries to the victims.

3. Learned counsel for the petitioners would contend that the allegations against the petitioners are false; that the 6th petitioner herein, had lodged a complaint in Cr. No.90 of 2025 against the defacto complainant and others; that this is a counter case with false allegations against the petitioners; and that in any case, custodial interrogation of the petitioners is not required and hence prayed to grant anticipatory bail to



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the petitioners.

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4. The learned Government Advocate (Criminal 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 have been discharged from the hospital; and that a complaint filed by the 6th petitioner is pending investigation in Cr. No.90 of 2025.

5. Considering the nature of offences, the fact that the injured were discharged from the hospital, there is a case and counter case, and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on 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 a copy of this order, before the learned



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Additional Mahila Court, Thiruvallur, Thiruvallur District on
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condition that the petitioners shall each 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 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 Chennai and to report before the North Beach Police Station daily at 10.30 a.m. for a period of 2 weeks and thereafter, to report before the respondent police weekly twice i.e., on Monday and Thursday at 10.30 a.m., until further orders;**

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



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trial;

[d] the petitioners shall not abscond either during investigation or

[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]; and

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

24.03.2025

mjs

SUNDER MOHAN. J.,

mjs

To

- 1.The Additional Mahila Court, Thiruvallur, Thiruvallur District.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, C5 Vengal Police Station, Thiruvallur District.
- 4.The Inspector of Police, North Beach Police Station, Chennai.

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