



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8081 of 2025

1. KALIYAPPAN

S/o. Balagoundar , No.139,
Vadduvapatti, Vellivelli, Edapadi,
Vellarivalli Salem

2. NAGESHWARAN

S/o. Kaliyappan , No.139,
Vadduvapatti, Vellivelli, Edapadi,
Vellarivalli Salem

3. MAYILESHWARAN

S/o. Kaliyappan , No.139,
Vadduvapatti, Vellivelli, Edapadi,
Vellarivalli Salem

4. SUMATHI

W /o. Kaliyappan , No.139,
Vadduvapatti, Vellivelli, Edapadi,
Vellarivalli Salem

5. CHITHAYEE

W/o0. Mudhusami, D.No.148,
Vettuvapatti, Vellivelli, Edapadi,
Vellarivalli Salem



6. RESHMA

W/o. Nageshwaran No.10/49A,
Vettuvapatti, Vellivelli, Edapadi,
Vellarivalli Salem

Petitioner(s)

Vs

1. THE STATE REP BY The Inspector
of police,
Poolampatty Police Station. Salem
District. (Crime No.51/2025)

Respondent(s)

CRL OP No. 8081 of 2025

PRAYER

To enlarge the petitioners on Anticipatory bail in the event of their arrest pending investigation in Crime No 51/2025 on the file of the respondent police and render justice.

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For Petitioner(s): Mr. T Muruganantham

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), 74, 296(b), 115(2), 118(1) and 351(3) of BNS (149, 354, 294(b), 323, 326 and 506(ii) of IPC) in



Crime No. 51 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 assaulted the defacto complainant and thus, committed the aforesaid offence.

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 it is a case and case in counter 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 case and 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.

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 Judicial Magistrate Court, Edapadi**, 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.

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AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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Poolampatty Police Station. Salem
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SUNDER MOHAN, J.

AT

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