



Crl.OP.No.8530 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

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1. Vijaya
2. Sivakumar
3. Latha @Lalitha
4. Deepa
5. Samannan
6. Ramasamy

... Petitioner(s) /Accused

Vs.

State rep. by the Inspector of Police,
Thimmampettai Police Station,
Thirupathur District.

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner's on bail in the event of their arrest in Crime No.15 of 2025 pending investigation on the file of the respondent police.

For petitioner(s) : Mr.E.Kannadasan

For Respondent(s) : Mr.S.Santhosh,



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Government Advocate (Crl.Side)

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ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 3(5) of BNS, 2024 r/w Section 4 of TNPHW Act, 2002, in Crime No.15 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on account of property dispute, the petitioners attacked the defacto complainant and abused them in filthy language.

3. The 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 to the petitioners.

4. The 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



that injured has been discharged from the hospital; and that the petitioners have no bad antecedents.

5. Considering the nature of allegations, 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 on which the order copy is made ready, before the **Judicial Magistrate, Vaniyambadi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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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 appear before the respondent police as and when required for investigation;

[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.

[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



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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 BNS.

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
Thimmampettai Police Station,
Thirupathur District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



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3. Judicial Magistrate, Vaniyambadi,
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SUNDER MOHAN, J.

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