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Crl.O.P.No.9577 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.9577 of 2025

1. Muniraj
S/o. Mariyappa

2. Ravi
S/o. Siddhappa

....Petitioners/Accused 1 and 2

Vs

The State represented by
The Inspector of Police,
Hosur Police Station,
Krishnagiri District.

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory
bail in the event of their arrest **in Crime No.84 of 2025**, on the file of the
respondent police.

For Petitioners	: Mr. Jawahar Balasundaram
For Intervener	: Mr.C.T. Murugappan
For Respondent	: Mr. S. Santhosh
	Government Advocate (Crl. Side)



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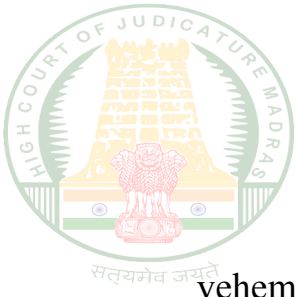


ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(1), 296(b), 351(2), 340(2), 318(4) of BNS, in Crime No.84 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the petitioners and the *de facto* complainant; that when the *de facto* complainant went to fence the disputed property, the petitioners and others abused the *de facto* complainant and his friend in filthy language and prevented them from fencing the property.

3. The learned counsel appearing for the petitioner would submit that a false complaint has been lodged against the petitioners; that the petitioners own a portion of the property; and that in any case custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.



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4. The learned counsel for the *de facto* complainant, however, vehemently opposed to grant of anticipatory bail stating that the property belongs to the *de facto* complainant and that the petitioners are preventing the *de facto* complainant from enjoying the property in a peaceful manner and had committed the aforesaid offence.

5. The learned Government Advocate(Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the the investigation is pending.

6. Considering the nature of allegations, this Court is of the view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 No. II, Krishnagiri**, on condition that each of the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



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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 daily at 10.30. a.m., until further orders.

[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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

07.04.2025

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To

1. The Judicial Magistrate No.II, Krishnagiri
2. The Inspector of Police,
Hosur Police Station,
Krishnagiri District
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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