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CRL OP NO. 9740 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-04-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9740 of 2025

1.Arun Kumar

2.Manivel Prajin

Petitioner(s)

Vs

The State Rep By The Inspector Of Police
Namakkal Police Station,

Namakkal. (Crime No.154 of 2025)

Respondent(s)

For Petitioner(s):

Mr. Karthikeyan R

For Respondent(s):

Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 74, 351(2) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act in Crime No.154 of 2025, on the file of the respondent police, seek anticipatory



anticipatory bail.

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2. The case of the prosecution is that due to dispute with regard to the partition of a land, a wordy quarrel arose between the petitioners and the defacto complainant; that the petitioners thereafter, abused and attacked the defacto complainant. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and he has been falsely implicated in this case; that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police who is opposing for granting anticipatory bail to the petitioners reiterated the prosecution case and submitted that a counter case has been lodged by the petitioners herein against the defacto complainant.

5. Taking note of the facts and circumstances of the case, considering the the fact that there is a counter case and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant



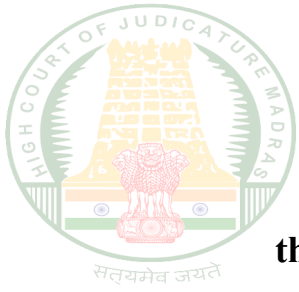
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anticipatory bail to the petitioners with certain conditions that the petitioners shall ensure that they will not disturb the path way of the defacto complainant until they obtain the orders from the Civil Court.

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 No.I, Namakkal** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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 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 1st petitioner shall report before the respondent police twice a week i.e., on every Monday and Thursday at 10:30 a.m., until further orders and the 2nd petitioner shall appear before**



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the respondent police as and when required for interrogation.

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

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

02-04-2025

msv

To

1. The Inspector Of Police
Namakkal Police Station, Namakkal.
2. The Judicial Magistrate No.I, Namakkal



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SUNDER MOHAN, J

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