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Crl O.P.No.9913 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9913 of 2025

1. Devarajan
2. Thulasiraman

Petitioners/A3 & A4

Vs

The State Rep by,
The Inspector of Police,
Marakkanam Police Station,
Villupuram District.
(Crime No.105 of 2025)

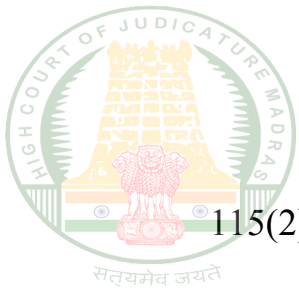
Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on
anticipatory bail in the event of arrest in Crime No. 105 of 2025 pending
on the file of the respondent police.

For petitioners	:	M/s.Ragavendran
For Respondent	:	Mr.S.Balaji
		Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 296(b),



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115(2), 118(1) and 351(3) of the BNS in Crime No.105 of 2025, on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners and the de facto complainant own adjacent lands to each other; that due to a wordy quarrel, the petitioners assaulted and abused the de facto complainant in filthy language.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent; that they have been falsely implicated in this case and in any case, custodial interrogation of the petitioners is not required and sought for anticipatory bail.

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 submitted that the injured has been discharged from the hospital and the first petitioner has two previous cases and the second petitioner has no bad antecedents.

5. Taking note of the facts and circumstances of the case, the



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nature of the allegations, the fact that the injured was discharged from the hospital, the first petitioner is on bail in the other two previous cases 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No. II, Tindivanam** on condition that the petitioners shall 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 said Magistrate, 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.



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[b] the first petitioner shall report before the respondent police everyday at 10:30 a.m., until further orders and the second petitioner shall report before the respondent police as and when required.

[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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To:

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



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SUNDER MOHAN, J.

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