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Crl O.P.No.10208 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.04.2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP NO. 10208 of 2025**

1. Murugesan
2. Arunkumar

petitioners/A1&A4

Vs

The State Rep by,  
The Inspector of Police,  
Harur Police Station,  
Dharmapuri District.  
(Crime No.139 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. 139 of 2025 pending on the file of the respondent police.

|                 |   |                                |
|-----------------|---|--------------------------------|
| For petitioners | : | M/s. J Pradeep                 |
| 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 329(3), 296(b), 118(1) and 351(3) of the BNS in Crime No.139 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that due to a land dispute between the parties, the petitioners assaulted the de facto complainant with hands and abused him in filthy language.

3. The learned counsel for the petitioners submitted that the petitioners are innocent; that the allegations are false; that the injured was treated as an out-patient; the petitioners have no bad antecedents 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 submitted that the injured was treated as out-patient and the petitioners have no bad antecedents.

5. Considering the nature of the allegations, the fact that the injured was treated as an out-patient, the petitioners have no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl O.P.No.10208 of 2025

WEB COPY

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 Judicial Magistrate Court, Harur** 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.

[b] the petitioners shall report before the respondent police everyday 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.



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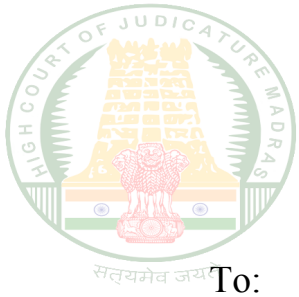
*Crl O.P.No.10208 of 2025*

[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.

**07.04.2025**

**vca**



*Crl O.P.No.10208 of 2025*

To:  
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1. The Inspector of Police,  
Harur Police Station,  
Dharmapuri District.
2. The Judicial Magistrate Court,  
Harur.
3. The Public Prosecutor,  
Madras High Court.



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*Crl O.P.No.10208 of 2025*

**SUNDER MOHAN, J.**

vca

**CRL OP NO. 10208 of 2025**

**07.04.2025**