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Crl.O.P.No.11528 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11528 of 2025

1.M.Manikandan
2.Srimathi

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
J-3 Guindy Police Station,
Chennai – 600 032.
(Crime No.112 of 2025)

Respondent(s)

For Petitioner(s) : Mr.V.Arun

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.112 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, in Crime No.112 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that due to a property dispute between the petitioners and the defacto complainant on 29.03.2025, at about 6.15 p.m., the petitioners came in an inebriated condition near the house of the defacto complainant, during which, the petitioners abused her in filthy language, assaulted her and also caused injuries to the defacto complainant's son. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; that the petitioners had also lodged a complaint against the de facto complainant in Crime No.111 of 2025 and hence, he prayed for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal 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 it is a case and a case in counter; that the injured has been discharged from the hospital; and that the petitioners have no bad antecedents.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.



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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, the fact that there is a counter case, the injured has been discharged from the hospital, 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.

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 **IX Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioners shall execute a separate 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 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;



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[b] the first petitioner shall report before the respondent Police daily at 10.30 a.m, until further orders and the second petitioner, being a lady, shall appear before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

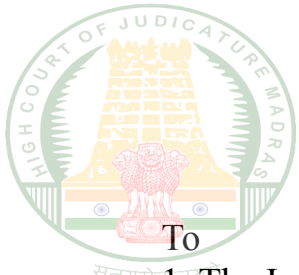
[d] the petitioners shall not abscond either during investigation or trial;

[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 petitioner 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.

drl

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To

1. The Inspector of Police,
J-3 Guindy Police Station,
Chennai – 600 032.

2. The Public Prosecutor,
High Court, Madras.



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SUNDER MONHAN, J.

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