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CRL OP No. 12438 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12438 of 2025

1. Senni chetti

S/o.Subramani chetty,

2. Viswanathan

S/o.Natarajan

3. Padma Priya @ Priya

W/o. Viswanathan

4. Kailainathan

S/o. Palanisamy

5. Maragatham

W/o. Kalainathan, All Are residing at
Door No. West Case Street, Nangavalli
Mettur Taluk, Salem District.

Petitioner(s)

Vs

1. The State Rep.by its, The Inspector
of Police,
The Inspector of police, Nangavalli
police Station, Salem District.



Cr.No.112/2025.

CRL OP No. 12438 of 2025



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Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of their arrest in Crime No. 112 of 2025 on the file of the Inspector of police, Nangavalli Police Station, Salem District

For Petitioner(s): Mr.M Kamesh

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 189(2), 296(b), 126(2), 118(1) and 351(3) of BNSS in Crime No.122 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.04.2025, the petitioners entered into the land of the defacto complainant, abused and assaulted her son with shovel and stone, during which, he sustained injury. Hence, the complaint.

3. Learned counsel appearing for the petitioners would submit that



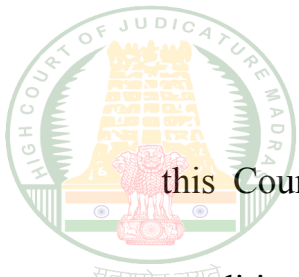
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there is a civil case pending before the Court, and only in order to drag on the proceedings, defacto complainant has lodged a false complaint and that the injured discharged from the hospital and seeks for grant of anticipatory bail to the petitioners.

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 instruction submitted that injured has been discharged from the hospital.

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.

6. Considering the nature of allegations; stage of investigation, and the injured has been discharged from hospital and in any case, the custodial interrogation of the petitioners are not required for the purpose of investigation,



this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

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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.I, Mettur, Salem District 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;

[b] the petitioners shall appear before the respondent police everyday at 10.30 am., until further orders.



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

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

[f] 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]*;

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

28-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The State Rep.by its, The Inspector of
Police,
The Inspector of police, Nangavalli
police Station, Salem District.
Cr.No.112/2025.

2. The Judicial Magistrate No.1,
Mettur, Salem District.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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