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CRL OP No. 12863 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12863 of 2025

1.Suriya Kumari

W/o.Kannaiyan,

D.No.82/15, Hasthampatti, Main Road,

Salem Town, Salem - 636007.

2. VENUGOPAL

S/o.Kannaiyan,

D.No.82/15, Hasthampatti, Main Road,

Salem Town, Salem - 636007.

4. GOMATHI

D/o.Kannaiyan,

D.No.82/15, Hasthampatti, Main Road,

Salem Town, Salem - 636007.

6.Mangala Gouri

W/o.Parthasarathi,

D.No.82/15, Hasthampatti, Main Road,

Salem Town, Salem - 636007.

Petitioner(s)

Vs

State represented by

The Inspector of Police,

HASTHAMPATTY Police Station,

Salem, Salem District.

Respondent(s)



Criminal Original Petition filed under Section 482 of the BNSS, 2023, to

enlarge the petitioners on bail in the event of their arrest in Crime No.575 of

2020 on the file of the respondent.

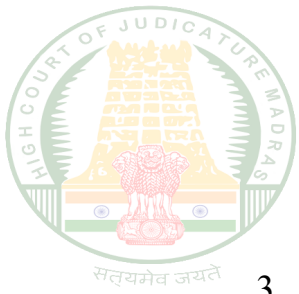
For Petitioner(s): Mrs.P.Uma

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

ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offence punishable under Sections 147, 447, 427, 342, 294(b), 323 & 506(II) IPC, in connection with a case in Crime No.575 of 2020, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused trespassed into the property of the *de facto* complainant on account of previous enmity, assaulted the *de facto* complainant besides abusing him in filthy language and hence, the petitioners have committed the aforesaid offences.

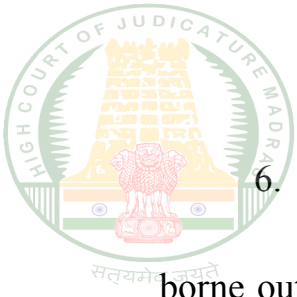


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3. The learned counsel for the petitioners would submit that the allegations are false and the petitioners were not arrested during investigation; that a civil suit filed by the petitioners is pending in O.S.No.144 of 2021 before the IV Additional District Munsif Court, Salem; that in any case, the allegations are borne out by records and that the custodial interrogation of the petitioners is not required. Stating so, he sought anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the investigation has now been completed and final report has been filed in C.C.No.1158 of 2024 before the Judicial Magistrate Court No.III, Salem.

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

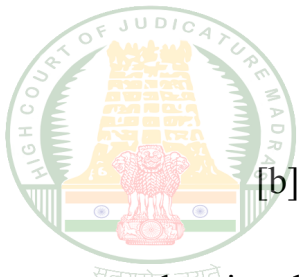


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6. Considering the nature of allegations and since the allegations are borne out by records, and since the custodial interrogation of the petitioners is not required at this stage as the final report has been filed, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. 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 of receipt of a copy of this order, before the learned **Metropolitan Magistrate Salem**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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 trial court concerned on all hearing dates;

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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 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 B.N.S.

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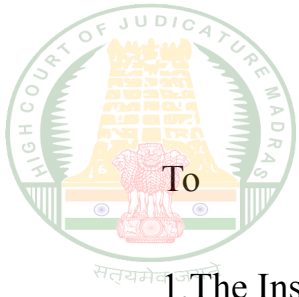
nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Inspector of Police,
HASTHAMPATTY Police Station,
Salem, Salem District.

2. The Metropolitan Magistrate,
Salem.



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SUNDER MOHAN J.

nsd

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