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Crl.O.P.No.13232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13232 of 2025

1.Karthi @ Karthikeyan
2.Gopi @ Gopinath
3.Gowtham

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Jalakandapuram Police Station,
Salem District.
(Crime No.106 of 2025)

Respondent(s)

For Petitioner(s) : Mr.C.Deepak Kumar

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.106 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 191(2), 191(3), 296(b), 126(1), 223, 118(1), 131 and 351(3) of BNS, in Crime No.106 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on account of prior enmity between two groups regarding temple festival, the petitioners along with other accused, abused and attacked each other with a wooden log, knife and scissors. Hence the case.

3. Learned counsel appearing for the petitioners would submit that the petitioner have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case; that except these petitioners all other accused were arrested and released on bail by the Lower Court and in any case, the custodial interrogation of the petitioners is not required and sought 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 confirms the fact that the main accused were arrested and released on bail; that the injured has been treated as out patient; 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 the main accused were granted bail, 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 **Judicial Magistrate No.2, Mettur**, 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 petitioners shall report before the respondent
Police daily 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;

[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

29-04-2025

To

1. The Inspector of Police,
Jalakandapuram Police Station,

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Salem District.

2. The Public Prosecutor,
High Court, Madras.

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