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Crl.O.P.No. 13757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.05.2025**

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRL. O.P.NO.13757 of 2025

1.Mahendran

2.Nithyaa

... Petitioners

Vs

The State of Tamil Nadu,
through the Inspector of Police,
Alangiyam Police Station,
Tiruppur District.
(Crime No.82 of 2025)

...Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 82 of 2025 pending
on the file of the respondent police.

For petitioners : Mr.Deepan Uday
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 296(b),
115(2), 118(1), 351(3) of the BNS Act, - (294, 323, 506, 324 of IPC) in



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Crime No.82 of 2025, on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that on 23.04.2025, the defacto complainant and his family were allegedly attacked by petitioners over a land dispute. The first petitioner assaulted the defacto complainant and his father-in-law, while second petitioner pushed complainant's wife Haritha.

3. The learned counsel appearing for the petitioners submits that the petitioners are an innocent person and they have not committed any such offence as alleged by the prosecution. He would also submit that they have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant 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 on instructions submitted



that the injured has been discharged from the hospital.

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5. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the petitioners have no bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Dharapuram, Tiruppur** 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.



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[b] the first petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks and thereafter as when required for interrogation and second petitioner shall report 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 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.

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To:

1. The Inspector of Police,
Alangiyam Police Station,
Tiruppur.
2. The Judicial Magistrate Court,
Dharapuram, Tiruppur.
3. The Public Prosecutor,
Madras High Court.



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N.SENTHILKUMAR, J.

nsI/stn

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