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Crl.O.P.No.14369 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

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THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14369 of 2025

1. Tabrez
2. Nawaz

... Petitioners

Vs.

State Rep. by,
The Inspector of Police,
Vaniyambodi Town Police Station,
Thirupattur District.
(Crime No.94 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent Police in Crime No.94 of 2025 on the file of the Respondent.

For Petitioners : Mr.E.Kannadasan

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 115(1), 118(1), 351(3) of BNS, in Crime No.94 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that during the wordy quarrel, the accused had abused the de facto complainant and assaulted him with stones and hand, due to which, he sustained injuries. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from the hospital, however, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with 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 **District Munsif cum Judicial Magistrate, Vaniyambodi**, on condition that the petitioners shall execute separate bond each 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 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 respondent Police, everyday at 10.30 a.m., for a period of one month and thereafter, as and when required for further interrogation;

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

[d] the petitioners shall not tamper with evidence or witness 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



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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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

08.05.2025

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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 the official website of this Court will be watermarked and will also have a QR code.

To

1. The District Munsif cum Judicial Magistrate,
Vaniyambodi.
2. The Inspector of Police,
Vaniyambodi Town Police Station, Thirupattur District.
3. The Public Prosecutor,
High Court of Madras.

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