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CRL OP No. 15077 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15077 of 2025

1. Prakash

S/o.Muniyappan

2. Hemapriya

D/o.Mathiyazhagan,

Both are residing at No.3/304-B,

Polampatti, Poomandahalli, Palacode

Taluk, Dharmapuri District.

Petitioner(s)

Vs

1.The State Rep., by,

The Inspector of Police,

Karimangalam Police Station,

Dharmapuri District.

Cr.No.188 of 2025.

Respondent(s)

CRL OP No. 15077 of 2025

PRAYER

To enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No. 188 of 2025 on the file of the Inspector of Police, Karimangalam Police Station, Dharmapuri District.



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CRL OP No. 15077 of 2025



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For Petitioner(s): Mr.Thirumalaivasan Pachiyappan
For Respondent(s): Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 296(b), 115(2), 118(2), 351(3) of BNS, in Crime No.188 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to a property dispute, there was a wordy quarrel between the petitioners and the defacto complainant, for which the petitioners abused and attacked the defacto complainant. Hence, the case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent person and they have been falsely implicated in this case and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and prayed for anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital.

5. Having 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, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 ***learned District Munsif cum Judicial Magistrate, Karimangalam***, 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 said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

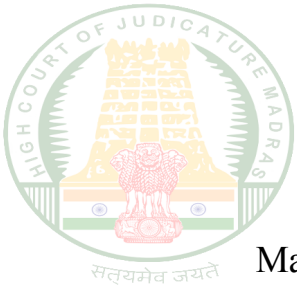
[c] the first petitioners shall report before the respondent Police daily at 10.30 a.m for a period of 30 days and the second petitioner shall report before the respondent police daily at 10.30 a.m for a period of 30 days except on 19.05.2025 & 21.05.2025 since she is appearing for the exam.

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make themselves available for interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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



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[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16-05-2025

AT

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.”

CRL OP No. 15077 of 2025

To

1.The State Rep By Its,
The Inspector of Police, Karimangalam
Police Station, Dharmapuri District.
Cr.No.188 of 2025.



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CRL OP No. 15077 of 2025



M.NIRMAL KUMAR, J.

AT

CRL OP No. 15077 of 2025

16-05-2025