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CrI.O.P.No.15138 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. 15138 of 2025

1.Guna
2.Gnanaguru
3.Murali

Petitioners

Vs

The State Represented by,
The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
(Crime No.153 of 2025)

Respondent

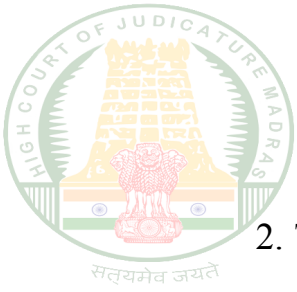
For Petitioners : Mr.S.Sasikumar

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.153 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 329, 351(2), 305(a) of BNS, in Crime No.153 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant is a Secretary of Kathavalam Village Panchayat, on the date of occurrence, the petitioners trespassed into the office of the defacto complainant and compelled her to furnish the copy of Grama Sabha Resolution for which, the petitioners abused her and also threatened her with dire consequences. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioners trespassed into the office of the defacto complainant to furnish the copy of Grama Sabha Resolution, when she refused, the petitioners abused her and also threatened her with dire consequences. He further submitted that the petitioners have no previous cases against them.



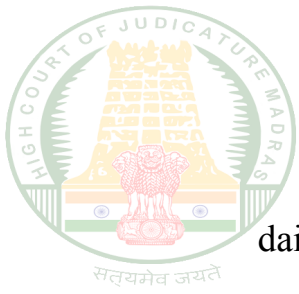
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5. Having heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and 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 learned Additional District Munsif cum Judicial Magistrate, Ambur, 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 petitioners shall report before the respondent Police



daily at 10.30 a.m for a period of 30 days and thereafter as and when required for interrogation;

[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 himself 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;

[h] 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];



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[i] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of BNS.

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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 Additional District Munsif cum
Judicial Magistrate, Ambur.

2. The Inspector of Police,
Omerabad Police Station,
Thirupathur District.

3. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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