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Crl.O.P.No.15268 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15268 of 2025

1. A.V. Muthulingam

2. Ganesan

... Petitioners

-VS-

The State rep by the Inspector of Police,
DCB Police Station,
Coimbatore District.
(Crime No.31 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioners on bail in
the event of arrest in Crime No.31 of 2024 on the file of the respondent
police.

For Petitioner : Mr.S.Valarmathi

For Respondent : Dr.C.E.Pratap
Additional Public Prosecutor



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ORDER

On mentioning of the learned counsel for the petitioners, this case has been listed under the caption “for Being Mentioned”.

2. According to the learned counsel for the petitioners, the lower Court had not entertained the sureties and bonds were not accepted. It is seen that the petitioners had obtained an anticipatory bail from this Court in Crl.O.P.No.15268 of 2025 by an order dated 21.05.2025 in which in paragraph No.6, it is observed that the petitioners were ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate IV, Coimbatore subject to other conditions.

3. The learned Judicial Magistrate IV in not entertaining the surrender application, sureties and execution of the bond, is not proper. It is not a condition precedent to prescribe a time limit. Further, the lower Court is to obey the order of the High Court and not to interpret the order on its own terms when there is a time limit then it is so. In this case, this Court thought fit not to impose any time limit, but for that reason, non entertainment of the sureties and bonds is not proper on the part of the learned Magistrate.



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4. Therefore, the trial Court is directed to entertain the sureties and bonds and the affidavit filed by the petitioners, if it is otherwise in order.

06.06.2025

gbi

To

1. The learned Judicial Magistrate IV,
Coimbatore.
2. The Inspector of Police,
DCB Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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