



Crl.O.P.No.15438 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15438 of 2025

1.Dinesh

2.Sathiyamurthi

3.Egambaram

... Petitioners

Vs.

The State rep. by
The Inspector of Police
Thirupalaivanam Police Station
Flower Bazaar
Chennai-600 001
Crime No. 55 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event of their arrest by the respondent police in Crime No. 55 of 2025 on the file of the respondent police.

For Petitioners : Mr.Krishnasamy Chinnasamy

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



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ORDER

The petitioners, apprehend arrest for the alleged offences under Sections 126, 296(b), 115(2) and 351 of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.55 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, following a wordy quarrel, the petitioners/accused wrongfully restrained, abused the defacto complainant in filthy language and assaulted him, and also criminally intimidated him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. 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.



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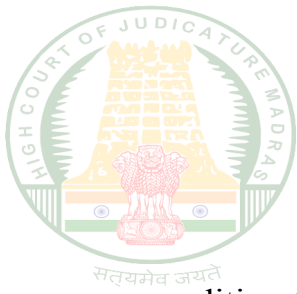
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4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been treated as outpatient. However, he opposed for grant of anticipatory bail to the petitioners.

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 the injured has been treated as outpatient, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 (15) days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate-II, Ponneri***, on condition that each of 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 learned Magistrate concerned and on further



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condition that:

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

To

1. The Judicial Magistrate-II, Ponneri
2. The Inspector of Police
Thirupalaivanam Police Station
Flower Bazaar
Chennai-600 001
3. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



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