

Crl.O.P.No.15471 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15471 of 2025

1.Kumudha
2.Vijaykumari
3.Govindharaj
4.Jayaseelan

...Petitioners

Vs.

The State rep by
The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
(Crime No. 123 of 2025)

.....Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.123 of 2025 pending investigation on the file the respondent police

For Petitioner : Mr.K.Arumugam

For Respondent : M/s.A.Gopinath
Government Advocate (Crl.Side)

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 126(2), 115(2), 118(1) of BNS Act in Crime No.123 of 2025, seek anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioner's family and the defacto complainant's family. While being so, on 14.05.2025, the petitioner's family removed the iron fence of defacto complainant's property. When the same was questioned, the petitioners attacked the defacto complainant and her daughter in law by using hands. Hence, the case.

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. He would also submit that they have been falsely implicated in this case. 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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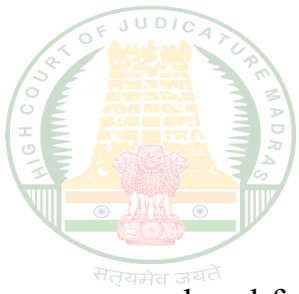
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4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the case of the prosecution and submitted that this is a case in counter. He also submitted that the petitioners attacked the defacto complainant by using hands. He also submitted that the injured has been discharged from the hospital on 15.05.2025, 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 against the petitioners, submissions made by the learned counsels on either side, also taking into account that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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 Judicial Magistrate No.1, Tirupathur** on condition that the petitioners shall execute a separate



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bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners and 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 appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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].



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[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 B.N.S.2023.

21.05.2025

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

To

1.The Judicial Magistrate NO.I, Tirupathur

2. The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.

3. The Public Prosecutor,
High Court of Madras.

N.SENTHILKUMAR,J.

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