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Crl.O.P.No. 15733 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRL. O.P.NO.15733 of 2025

1. Nathiya
2. Selvi
3. Shakthivel@Sakthivel
4. Srither
5. Annadurai
6. Chandru@Santhuru

... Petitioners

Vs

The State of Tamil Nadu,
Rep by. The Inspector of Police,
Jolarpet Police Station,
Thirupathur District.
(Crime No.122 of 2025)

...Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on
anticipatory bail in the event of arrest in Crime No. 122 of 2025 pending
on the file of the respondent police.

For petitioners : M/s.A.Thiyagarajan

For Respondent : Mr.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 offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 118(1) of BNS and Section 4 of TNPWH Act, in Crime No.122 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute between petitioners and the defacto complainant, the petitioners attacked the de facto complainant and her daughter.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; that the petitioners have no bad antecedents and in any case, custodial interrogation of the petitioners is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the



petitioners, reiterated the prosecution case and on instructions submitted that the injured has been discharged from the hospital, there is a counter case and the petitioners have no bad antecedents.

5. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the petitioners have no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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 Judicial Magistrate No.1, Thirupathur** on condition that 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[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 first and second petitioners shall report before the respondent police as and when required and the third, fourth and fifth petitioners shall report before the respondent police everyday at 10:30 a.m., for a period of three 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 of B.N.S.

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nsI/stn

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 Inspector of Police,
Jolarpet Police Station,
Thirupathur District.
2. The Judicial Magistrate No.1, Thirupathur.
3. The Public Prosecutor,
Madras High Court.



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N.SENTHILKUMAR, J.

nsI/stn

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