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Crl.O.P.No.15817 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15817 of 2025

1.Mohan @ Mohan Kumar
2.Divyabharathi
3.Rajamuthu
4.Mareshwari

... Petitioners/Accused 1 - 4

Vs.

State rep by
The Inspector of Police,
Nangavalli Police Station,
Salem District.

(Crime No.147 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.147 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.C.Deepak Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent, seeking anticipatory



bail in Crime No.147 of 2025 registered for the offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023.

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2.It is the case of the prosecution that the petitioners and the defacto complainant are neighbours and there was a property dispute between them; that on 17.05.2025, due to wordy quarrel, the petitioners abused the defacto complainant and his family members in filthy language, threatened the defacto complainant with dire consequences and assaulted him with stones and caused injuries to him. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that due to previous enmity, a false complaint has been foisted. He would further submit that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for anticipatory bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that though the injured is still in hospital, the injuries sustained are not on vital parts.



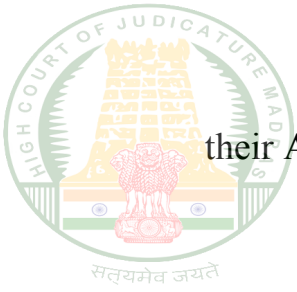
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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, the fact that the petitioners and the defacto complainant are neighbours and the injuries sustained are not on vital parts, 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 of receipt of copy of this order, before the **Judicial Magistrate Court No.1, Mettur**, on condition that the petitioners shall execute separate bond for sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 conditions that:

[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 1 and 3 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 and the petitioners 2 and 4 shall appear before the respondent police as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

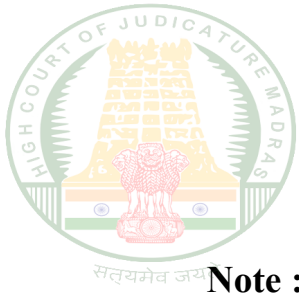
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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*** reported in [(2005)AIR SCW 5560];

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

22.05.2025

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Note :

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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.

Copy to:

- 1.The Judicial Magistrate Court No.1, Mettur.
- 2.The Inspector of Police,
Nangavalli Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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