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Crl.O.P.No. 16090 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **28.05.2025**

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

CRL OP No. 16090 of 2025

1. Panchamoorthy
2. Mariyappan

... Petitioners

VS

The State Represented by,
The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.
Crime No.135 of 2025
...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No. 135 of 2025 pending investigation on the file of the respondent police

For petitioners : Mr.R.Joshua
For Respondent : Mr.A Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 118(1), 351(3) of the BNS in Crime No.135 of 2025, seek anticipatory bail.



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2. The case of the prosecution is that due to the civil dispute, the petitioners are alleged to have abused and assaulted the defacto complainant and thereby caused injuries. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence and they have been falsely implicated in this case and custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

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.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Taking into consideration the submission of both sides, nature of the allegations and since custodial interrogation of the petitioners is not required for the purpose of investigation, 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 days from the date on which the order copy made ready, before **the**



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learned Judicial Magistrate No.I, Mayiladuthurai on condition that

the petitioners shall execute a separate 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 proof of payment of deposits, failing which, the petition for

anticipatory bail shall stand dismissed 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 report before the respondent police everyday at 10:30 a.m.,for a period of two months 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



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conditions, the learned Magistrate/Trial Court is

K. GOVINDARAJAN THILAKAVADI.,J

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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.

28.05.2025

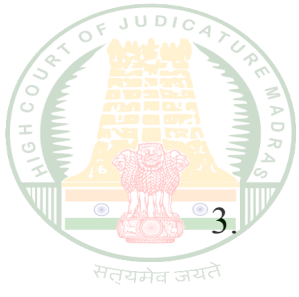
“Note:

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 learned Judicial Magistrate No.I,
Mayiladuthurai.
2. The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.



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3. The Public Prosecutor,
High Court, Madras.



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