



Crl.OP.No.16255 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

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1. Sivakumar

2. Maariyammal

... Petitioner(s) /Accused Nos. 1 & 2

Vs.

The State represented by,
The Inspector of Police,
Jalagandapuram Police Station,
Salem District.
Crime No.136 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.136 of 2025 on the file of the respondent police.

For petitioner(s) : M/s.S.Prema Kumari

For Respondent(s) : Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(2) of BNS, in Crime No.136 of 2025 seeks anticipatory bail.

2.It is the case of the prosecution that due to wordy quarrel, the petitioners abused the defacto complaint in filthy language, threatened him of dire consequences and tried to assault 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 no one was injured in the alleged incident. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and sought for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and opposed for the grant of anticipatory bail.

5.Heard both side and perused the materials available on record.



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6.Considering the nature of allegations, the fact that no one was injured in the incident and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Mettur, Salem District**, on condition that the petitioner shall execute separate bond for a 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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;



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[b] the first petitioner shall report before the respondent Police daily at 10:30 A.M for a period of two months and thereafter, as and when required for interrogation and the second petitioner shall appear before the respondent police as and when required for interrogation;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 B.N.S.

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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.

To

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



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K. GOVINDARAJAN THILAKAVADI, J.
rkp/ata

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