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CRL OP No. 17063 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17063 of 2025

1. Kandhasami
2. Selvakumar

Petitioners

Vs

The State Represented by, Inspector of
Police,
Elachipalayam Police Station,
Namakkal District. (Crime No. 90 of
2025).

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event
of their arrest concerned in Crime No. 90 of 2025, on the file of the Inspector of
Police, Elachipalayam Police Station, Namakkal District.

For Petitioners: M/s.Neelavathi

For Respondent(s): Mr.R.Vinotharaj Govt Advocate
(crl Side)



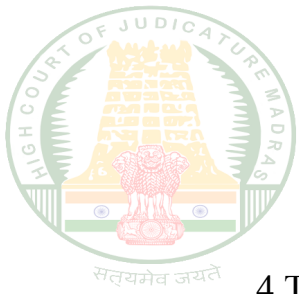
ORDER

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The Petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 118(1) and 351(3) of BNS, 2023, in Crime No.90 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, due to land dispute, there was a wordy quarrel between the petitioners and the defacto complainant and also attacked each other, as a result of which, defacto complainant sustained simple injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons, and due to previous enmity, the petitioners have been falsely implicated in this case. He would further submit that on the complaint given by the petitioners side, a counter case has been registered against the defacto complainant's side and thereby, he would seek for anticipatory bail to the petitioners.



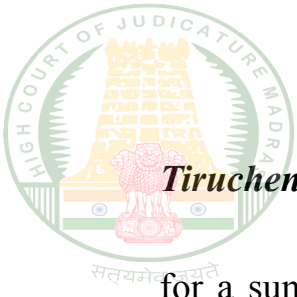
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4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that the injured was discharged from the hospital.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6.Considering the nature of dispute; that the injured was discharged from the hospital and the fact that the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 of receipt of a copy of this order, before the ***Judicial Magistrate Court,***



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Tiruchengode, on condition that the petitioners shall execute a 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 said Magistrate, 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;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[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;



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[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.

17-06-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.The State Represented by, Inspector
of Police,
Elachipalayam Police Station,
Namakkal District. (Crime No. 90 of
2025).
- 2.The Judicial Magistrate Court,
Tiruchengode.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.



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M.NIRMAL KUMAR J.

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