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CrI.O.P.No.17526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17526 of 2025

1.M.Nikesh
2.Anantha Narayan

... Petitioners

Vs

State rep by
Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
(Crime No.309/2025).

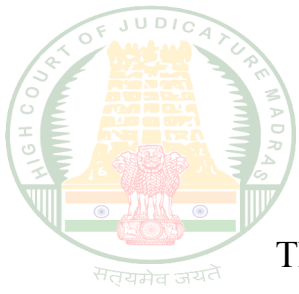
... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of their arrest pending investigation in Crime No.309/2025 on the
file of the respondent.

For Petitioner : Mr.R.Sunil Kumar

For Respondent : Mr.V.Meganathan,
Government Advocate (Criminal Side)

ORDER



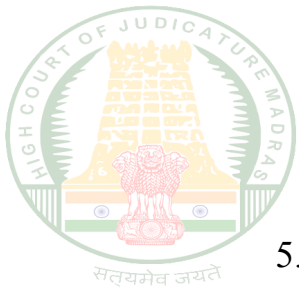
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The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.309 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution on 03.06.2025 at about 22.30 hours, when the defacto complainant was having tea in a hotel, the petitioners stared the defacto complainant. When the defacto complainant questioned the same, the petitioners scolded the defacto complainant in filthy language and attacked him using hands and wooden log.

3.The learned counsel for petitioners submits that the petitioner are innocent persons and they have nothing to do with the alleged offence. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution and submitted that the injured has been discharged from the hospital.



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5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

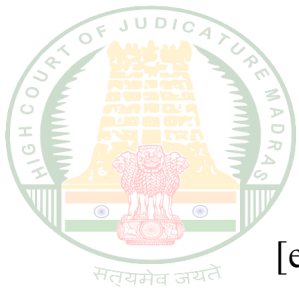
6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ulundurpet on condition that the petitioner shall execute a bond 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, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

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

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioners shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

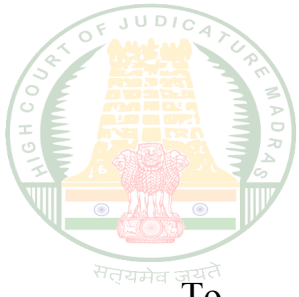
[g] the petitioners shall not abscond either during investigation or trial;

[h] 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 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To
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- 1.The Judicial Magistrate No.I,
Ulundurpet.
- 2.The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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