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Crl.O.P.No.18383 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.18383 of 2025

1. Balu
2. Kumar

... Petitioner

Vs.

State represented by,
The Assistant Commissioner of Police,
Sooramangalam Range
Salem District
(Crime No. 230 of 2025)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of their arrest in Crime No. 230 of 2025 on the file of the respondent Police.

For Petitioners : MrS.K.Bharathmahan

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 298(b), 115(2) of BNS, 2023 and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No. 230 of 2025 on the file of the respondent police, seeks anticipatory bail.



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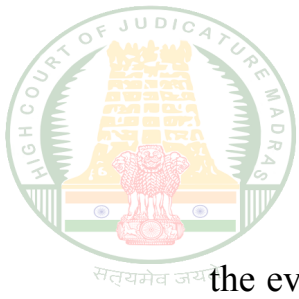
2. The case of the prosecution is that there was a land dispute between the defacto complainant and the petitioners, due to which, the petitioners assaulted the defacto complainant with plastic chair and pulled his wife's saree and also attacked his son. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel appearing on either sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 learned **Additional Mahila Court, Magistrate level, Salem** 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, 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 for interrogation;

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

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



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G.K.ILANTHIRAIYAN, J.

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

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

14.07.2025

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To

1. The Additional Mahila Court, Magistrate level, Salem
2. The Assistant Commissioner of Police,
Sooramangalam Range
Salem District
3. The Public Prosecutor,
High Court, Madras.

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