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CrI.O.P.No.18391 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.18391 of 2025

1.Kirubakaran
2.Raghul
3.Kameshnath @ Kamesh
4.Sachin
5.Roshan
6.Sakthi @ Pikki

... Petitioners

-Vs-

State Represented by
The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
(Cr.No.223 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.223 of 2025 on the file of respondent Police.

For Petitioner : Mr.Swami Subramanian

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

ORDER



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable u/s 296(b), 115(2), 351(2) and 3(5) of BNS Act, 2023 r/w Section 4 of TNPHW Act, in Crime No.223 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that on 07.06.2025 at about 06.00p.m., when the defacto complainant was at her residence, due to previous enmity, the petitioners went to her house and abused her with filthy language and also attacked the defacto complainant and her sister with hands. When the mother of the defacto complainant came to rescue them, A2 pulled her dress and attacked her with hands and thereafter, the defacto complainant was taken to hospital for treatment. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. Further, he submitted that the custodial interrogation of the petitioners is not required in this case. Hence, he prays for anticipatory bail to the petitioners.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the injured has been discharged from Hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also taking note of the fact that the injured has been discharged from the hospital, 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 on which the order copy made ready, before the learned **Additional District Munsiff cum Judicial Magistrate, Ambur, Thirupathur District**, on condition that each of the petitioners shall execute a 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:



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[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 appear before the respondent police as and when required for interrogation;

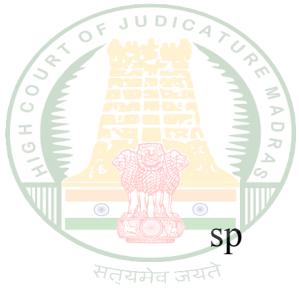
[c] the petitioners shall not abscond either during investigation or trial;

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283;

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

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- 1.The Additional District Munsiff cum Judicial Magistrate,
Ambur, Thirupathur District.
- 2.The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

sp

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