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CrI.O.P.No.18735 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.18735 of 2025

1.Natesan
2.Azhagiri
3.Kamsala
4.Saratha
5.Ramya

... Petitioners

-Vs-

The State rep by,
Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
(Cr.No.75 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.75 of 2025 on the file of respondent Police.

For Petitioners : M/s.Saritha Sivakumar

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) of BNS, 2023 r/w Section 4 of TN Women Harassment Act in Crime No.75 of 2025,



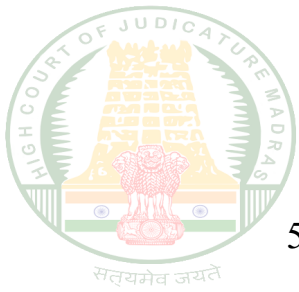
on the file of the respondent Police, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is the daughter of brother of A1 and both families have long standing property disputes and as such, there exists enmity between two families. Therefore, on the day of alleged occurrence, the petitioners came in front of the defacto complainant's house and attacked and abused her and family members using filthy language. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the custodial interrogation of the petitioners are not required and sought for anticipatory bail to the petitioners.

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 petitioners.



5. Considering the above facts and circumstances of the case and since custodial interrogation of the petitioners is not required, 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 **Judicial Magistrate-cum-Additional Mahila Court, Dharmapuri** 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:

[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 everyday at 10.30 a.m. for a period of two (2) weeks and thereafter, as and when required for interrogation;



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

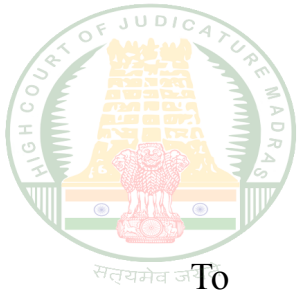
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)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 Judicial Magistrate-cum-Additional Mahila Court,
Dharmapuri.
2. The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

sp

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