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CrI.O.P.No.20486 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20486 of 2025

1.Muniraj

2.Sanjay

... Petitioners/A2 & A6

Vs.

State rep. by

The Inspector of Police,

Malliyakarai Police Station,

Salem.

(Crime No.87 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail concerned in Crime No.87 of 2025 pending investigation on the file of the respondent police.

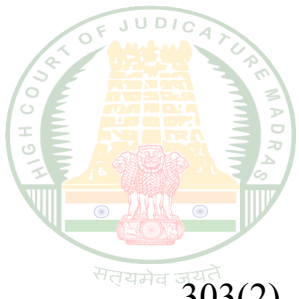
For Petitioners : Mr.D.Venkatachalam

For Respondent : Mr.R.Vinothraja

Government Advocate (CrI.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 22.06.2025, for the offence punishable under Sections 191(2), 329(4),



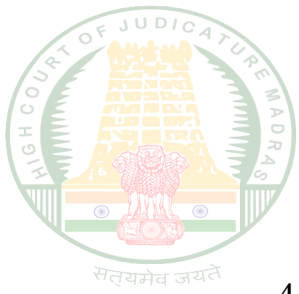
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303(2) of BNS r/w Section 3 of TNPPDL Act, 1992 altered to Sections 191(2), 329(4) of BNS r/w Section 3 of TNPPDL Act, 1992 in connection with Crime No.87 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the de-facto complainant's son eloped with first petitioner's sister and they got married. Got enraged over the same, the petitioner along with other accused went to the house of the de-facto complainant and damaged the house and also household articles. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The first petitioner's sister eloped with the de-facto complainant's son. Due to such enmity, a false complaint has been given against the petitioners. Hence, he prayed for grant of bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioners reiterated the prosecution case and submitted that in this case there are totally 6 accused, the petitioners are ranked as A2 and A6. The other accused A1, A3, A4 and A5 were absconding.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made and on perusal of the material, it is seen that the first petitioner's sister eloped with the de-facto complainant's son. Hence, there was a previous dispute between the petitioners and de-facto complainant's family. In view of the same, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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



learned **Judicial Magistrate No.II, Attur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police every day at 10.30 a.m. for a period of three weeks, thereafter as and when required for interrogation;

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

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] 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;

[f] On breach of any of the aforementioned



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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]**;

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

21.07.2025

rsi

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate No.II,
Attur.

2. The Inspector of Police,
Malliyakarai Police Station,
Salem.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

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