



Crl.O.P.No.23898 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23898 of 2025

1. Dhanabal.
2. Perumal @ Mottaiyan.
3. Ramakrishnan.
4. Palanisamy.

... Petitioners/Accused 1 to 4

/versus/

The State Rep.by,
The Inspector of Police,
Tholasampatty Police Station,
Salem District.
(Crime No.204 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition has been filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleased to grant an Anticipatory Bail to these petitioners in the event of their arrest or on their appearance before any Court in connection with the case in Crime No.204 of 2025, pending investigation on the file of the respondent police herein.

For Petitioners : Mr.M.Guruprasad
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of BNS, in Crime No.204 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant inherited 1½ acres of land from his father and allotted 75 cents to his grandson, Sathish. While constructing a cart track for access, the petitioners, who are his relatives, allegedly interfered, claimed title, and assaulted him, resulting in the alleged offences.

3. The learned counsel for the petitioners submits that it is a land dispute between the defacto complainant and the accused, which has led to the registration of Crime No.204 of 2025.

4. The learned Government Advocate (Crl.Side) appearing for the respondent states that it is a case and counter-case and the injured persons were treated as outpatients.

5. The learned counsel for the petitioners submits that the petitioners



have been falsely implicated in this case and they are willing to abide by any conditions imposed in the event of grant of anticipatory bail.

6. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 12.09.2025** before the learned **Judicial Magistrate Court, Omalur**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** **with two sureties**, each for a likesum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **If the petitioners fail to surrender before the concerned Court on or before 12.09.2025, this Order shall stand automatically cancelled;**

[b] 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;



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[c] **The petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.**

[d] 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]**;

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

01.09.2025

bsm

To,

1. The Judicial Magistrate Court, Omalur.
2. The Inspector of Police, Tholasampatty Police Station, Salem District.
3. The Public Prosecutor, High Court of Madras.

Note :



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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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Dr.G.JAYACHANDRAN, J.
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