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Crl.OP.No.25109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25109 of 2025

1. Kannan
2. Dharmadurai
3. Kumar
4. Ravichandran

... Petitioners

Vs.

State rep.by its
Sub Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
(Cr.No.323 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.323 of 2025 on the file of the respondent police.

For Petitioners : Ms.Jagadeeswari

For Respondent : Mr.S.Udaya Kuma
Government Advocate (Crl. Side)



ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 191(2), 192, 126(2), 132 and 351(3) of BNS, 2023 in Crime No.323 of 2025 , on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that on the date of occurrence, one Shanthi, a resident of Eraiyur Village died, due to her ill health. When her relatives attempted to bury her, according to Christian rites, but A1 along with the petitioners herein interfered and refused to bury the dead body on the ground that the deceased was belonged to the different religion. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that this petitioner are innocent persons, they have not committed any such offence as alleged by the prosecution and they have falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that, after



the intervention of higher officials, the dead body was buried in the same place and normalcy has since been restored. However, he opposed the grant of anticipatory bail to the petitioner

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

6. Considering the facts and circumstances of the case and the submissions made by both counsel, taking note of the fact that the dead body was buried in the same place and normalcy has since been restored, I am 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 within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate Kunnam**, on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



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(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, 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 identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;

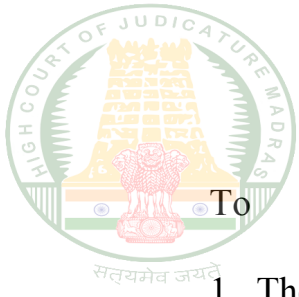
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv

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To
1. The Judicial Magistrate,
Kunnam.

2. The Sub Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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