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Crl.O.P.No.24026 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24026 of 2025

1.Arivazhagan
2.P.Sangeetha

... Petitioners

Vs.

State By,
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
Crime No.437 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 arrest in Crime No.437 of 2025 on the file of Inspector of Police, Sankarapuram Police Station, Kallakurichi District.

For Petitioners : Mr.P.Rajavel Rajavel
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

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The petitioners were apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2) and 118(1) of BNS, 2023, subsequently altered to Sections 296(b), 115(2), 118(1), 126(2), 351(3) of BNS, 2023, in Crime No.437 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, on 20.07.2025, the petitioners assaulted the de facto complainant's husband with a wooden log and abused him in filthy language. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the case is a case-in-counter arising out of a fight between two groups in connection with the supply of public water supply. He further submitted that the injured has already been discharged



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from the hospital.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of the complaint and the cause of the dispute, this Court is inclined to grant anticipatory bail to the petitioners with 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 ten days from the date of receipt of a copy of this order before the learned **Judicial Magistrate, Sankarapuram, Kallakurichi**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate, within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[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;

[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.

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To

- 1.The Judicial Magistrate,
Sankarapuram, Kallakurichi.
- 2.The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

cda

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