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Crl.OP.No.23959 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.23959 of 2025

1.Suseendhirakumar
2.Elangvan
3.Ragahakrishnan

... Petitioners/A1 to A3

Vs.

State rep by
The Sub-Inspector of Police,
Omalur Police Station,
Salem District.
(Cr.No.440 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioners, in the event of their arrest concerned in Cr.No.440 of 2025 on the file respondent police.

For Petitioners : Mr.K.Arumugam
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER



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The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 77, 324(3) and 351(2) of BNS, 2023 in Crime No.440 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours and adjacent land owners. Due to land dispute, there was a wordy quarrel between them, which quarrel escalated into violence. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and the de facto complainant has sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the defacto complainant has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the representations on both sides, the fact that the injured has been discharged from the hospital and also considering the nature of the offences and no previous case is pending against the



petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following 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 (15) days from the date on which the order copy made ready, before the learned ***Judicial Magistrate, Omalur, Salem District*** on condition that each of the petitioners shall execute separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen (15) days from the date on which the order copy made ready, 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;

[c] the petitioners shall report before the respondent police daily at 10.00 a.m., for a period of



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one week and thereafter, as and when required for the interrogation;

[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.

18.09.2025

smv

To

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



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K.RAJASEKAR, J.

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