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Crl.O.P.Nos.24756 and 24757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.Nos.24756 and 24757 of 2025

L.Muthukumar

... Petitioner/Accused
in Crl.O.P.No.24756/2025

S.Kirubhakaran @ Kirubha

... Petitioner/Accused
in Crl.O.P.No.24757/2025

Vs

State by
The Inspector of Police,
Elachipalayam Police Station,
Namakkal District.
(Crime No.141 of 2025)

... Respondent in both Crl.O.Ps.

Common Prayer: Criminal Original Petitions filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.141 of 2025 on the file of the respondent police.

For petitioner : Mr.Venatkannan A.P.
in both Crl.O.Ps.

For Respondent : Mr.S.Udayakumar
in both Crl.O.Ps. Government Advocate (Crl. Side)



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COMMON ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 351(3), 296(b), 115(2), 132 of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.141 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the Village Administrative Officer. There was a wordy quarrel between the petitioners and de-facto complainant with regard to excavating of gravel mud from the patta land, for which, the petitioners abused the de-facto complainant using unparliamentary words and attacked her, thereby the de-facto complainant sustained injury. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they had not committed any offence as alleged by the prosecution. He further submitted that injured has been discharged from the hospital. Hence, he prayed for anticipatory bail to the petitioners.



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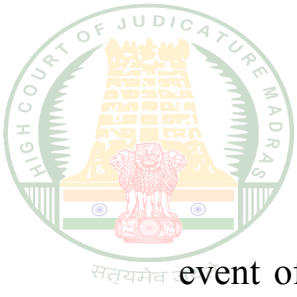
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4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the de-facto complainant is the Village Administrative Officer. There was a wordy quarrel between the petitioners and de-facto complainant with regard to excavating of gravel mud from the patta land, for which, the petitioners abused the de-facto complainant using unparliamentary words and attacked her, thereby the de-facto complainant sustained injury. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations and the fact that the injured has been discharged from the hospital, 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



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event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Tiruchengode, Namakkal District** on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

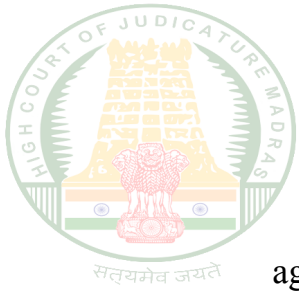
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police on every Tuesday at 10.30 a.m. for a period of eight weeks;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action



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against the petitioners in accordance with law as if the 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)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

11.09.2025

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To

- 1.The Judicial Magistrate,
Tiruchengode,
Namakkal District.
- 2.The Inspector of Police,
Elachipalayam Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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