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Crl.OP.No.25854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

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THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25854 of 2025

1. Arjunan
2. Raji

... Petitioners

Vs.

State rep by
The Inspector of Police,
Chinna Salem Police Station,
Kallakurichi District.
(Cr.No.370 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
the arrest pending investigation in Crime No.370 of 2025 on the file of the
The Inspector of Police, Chinna Salem Police Station, Kallakurichi District.

For Petitioners : Mr.P.Paramasivam

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



ORDER

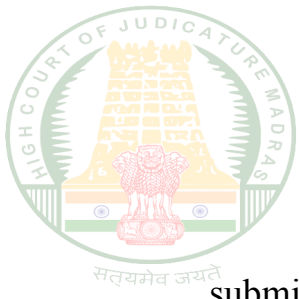
The petitioners who apprehend arrest for the alleged offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS 2023 in Cr.No.370 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that there was a dispute among the neighbours, due to which, the petitioners along with other accused attacked the defacto complainant with stones and hands and also caused injuries. Hence, the present complaint

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been 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 reported that the injured has been discharged from the hospital and there is no previous case against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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



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6. Considering the facts and circumstances of the case and the submissions made by both counsels, and taking note of the fact that the injured has been discharged from the hospital and there is no previous case against the petitioners and that custodial interrogation of the petitioners is not required, 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-II, Kallakurichi** 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:

(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



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Crl.OP.No.25854 of 2025

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 two weeks 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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

To

1. The Judicial Magistrate-II,
Kallakurichi
2. The Inspector of Police,
Chinna Salem Police Station,
Kallakurichi District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

4/5



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K.RAJASEKAR, J.

Vv

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