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Crl.O.P.No.2591



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.25911 of 2025

1. Thamarai @ Thamaraiselvan
2. Lokesh
3. Ilaya Bharathi

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Peralam Police Station,
Thiruvarur District.
(Crime No.419 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of Cr.P.C, 1973 r/w 482 of BNSS Act, 2024, to enlarge the petitioners on bail in the event of his arrest at the hands of the respondent police concerned in Crime No.419 of 2025, on such terms and conditions.

For Petitioners : Mr.P.Muthamizh Selvakumar

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

ORDER



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The petitioners, who apprehends arrest for the alleged offence punishable under Sections 296(b), 115(2), 351(2) of Bharathiya Nyaya Sanhita (BNS)-2024 r/w Section 4 of TNPHW Act, in Crime No.419 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that the petitioners have attacked one Praveen due the previous enmity the defacto complainant and 2 others were went to rescue the said Praveen the petitioner are jointly together assault the defacto complainant with hands in which the defacto complainant sustained injuries. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the 3 previous cases are pending against the Accused No.3 and no previous case in pending against the Accused Nos.1 and 2, there was some wordy quarrel between the petitioners and the defacto complainant and the injured discharged from hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, and the investigation is almost



completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

WEB COPY 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 of receipt of a copy of this order before the *learned District Munsif-cum-Judicial Magistrate Court, Nannilam*, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)**, 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 and on further condition that:

(a) 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 daily at 10.30 a.m., for the period of one week and thereafter as and when requires for interrogation until further orders;

(c) the petitioners shall not tamper with evidence or



witness either during investigation or trial;

(d) the petitioners shall not abscond either during

WEB COPY investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.10.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

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- 1.The District Munsif-cum-Judicial Magistrate Court, Nannilam.
- 2.The Inspector of Police,
Peralam Police Station,
Thiruvarur District.
- 3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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