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CRL OP NO.31538 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRL OP NO. 31538 of 2024**

1. PALANI

Son of Viran

2. RENGANADHAN

Son of Palani

Door No 80, Monganallampalayam  
Kannivadi, Chinnadharapuram, Edakkalapadi and  
another

Petitioner(s)

Vs

The State Rep By  
THE INSPECTOR OF POLICE  
MOOLANUR POLICE STATION  
TIRUPPUR DISTRICT  
In Cr.No.404/2024

Respondent(s)

**For Petitioner(s) : Mr. M. Rajasekar**

**For Respondent(s) : Mr.S.Santhosh, Government Advocate (Criminal Side)**

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, (B.N.S.), in Crime No.404 of 2024, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that a civil dispute between the de-facto complainant and the petitioners, which escalated into a violent confrontation on 09.12.2024 at around 07.45 A.M., the petitioners allegedly assaulted, abused in filthy language and also attacked the de-facto complainant and his son with a sickle, causing injuries. Hence, this case.

3. Learned counsel for the petitioners submits that the petitioners are innocent persons and have been falsely implicated in this case, due to a pre-existing property dispute. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police is that, a civil dispute and prior animosity between the parties led to a heated argument, resulting in the petitioners assaulting, abusing and attacking the de-facto complainant and his son with a sickle and causing grievous injuries. He further submitted that the petitioners have no previous cases pending against them, although, a counter case has been filed.



5. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions, accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Dharapuram**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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, 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 his Aadhar card or Bank pass Book to ensure their identity;

**[b] the petitioners shall stay at Chennai and report before the Flower Bazaar Police Station on everyday at 10:30 A.M., until further orders;**

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

[d] the petitioners shall not abscond either during the



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investigation or during the trial;

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[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 were 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

**23-01-2025**

klt

To

The State Rep By  
THE INSPECTOR OF POLICE  
MOOLANUR POLICE STATION  
TIRUPPUR DISTRICT. (Cr.No.404/2024)



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**A.D. JAGADISH CHANDIRA, J.**

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