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CRL OP NO. 32159 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32159 of 2024

LAKSHMANAN

S/o.Selvaraj, No.3/1862(2), Kalasapadi, Sitteri,
Dharmapuri District - 636 903. and 4 Others

Petitioner(s)

Vs.

State Rep By, Inspector Of Police
Harur Police Station, Dharmapuri District. Crime No.553
Of 2024

Respondent(s)

For Petitioner(s):

M.Murugesan
M.Abdul Kareem

For Respondent(s):

Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 126(2), and 132 of Bharatiya Nyaya Sanhita, 2023 (BNS), in Crime No.553 of 2024, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution as per the de-facto complainant /the Block Development Officer is that, while he was making arrangements to construct a pathway at Pappireddypatti, the petitioners abused him and obstructed him from discharging his duty, creating ruckus. Hence, this case.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no connection with the offence as alleged by the prosecution. There are no previous cases pending against the petitioners. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners. He stated that the petitioners/A1 to A4 abused and obstructed the de-facto complainant to perform his official duty, which was to construct a pathway. Further, he submitted that each of the petitioners has one previous case pending against them.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the



materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Harur**, on condition that the petitioners 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 said Magistrate, on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioners shall report before the respondent Police on every day at 10.30 A.M., for a period of one week and thereafter, as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either



during the investigation or during the trial;

[e] the petitioners shall not abscond either during the investigation or during the trial;

[f] 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];

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

02-01-2025

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To
1. State Rep By, Inspector Of Police
Harur Police Station, Dharmapuri District.
Crime No.553 Of 2024



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A.D. JAGADISH CHANDIRA, J.

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