



CrI.O.P.No.27903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.27903 of 2025

1. K.Prabhu
2. L.Guna
3. C.Kamalesh ... Petitioners

Vs.

The State rep. by,
The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
Crime No.317 of 2025 ... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory
bail in the event of their arrest in Crime No.317 of 2025 on the file of the
respondent police.

For Petitioners : Mr.Surya Prakash
For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

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The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1), 118(1) and 351(2) of the Bharatiya Nyaya Sanhita in Crime No.317 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that, due to pathway dispute, petitioners along with other accused assaulted the defacto complainant, due to which, defacto complainant sustained injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that injured victim has been discharged from the hospital, however, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels on either side and perused the materials



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available on record.

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6. Considering the submissions made by the learned counsels on either side and the fact that the injured victim 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 event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court, Rasipuram** on condition that each of the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten 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



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[Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

13.10.2025

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To

1.The Judicial Magistrate Court,

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Rasipuram.

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2.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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