



Crl.O.P.No.34039 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34039 of 2025

1. Sakthivel
2. Gopal
3. Kalaiyarasan
4. Mohan

... Petitioners

Vs.

State By,
The Inspector of Police,
B-6 Kondalampatti Police Station,
Salem District.
Crime No.445 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 his arrest in Crime No.445 of 2025 on the file of the respondent police.

For Petitioners : Mr.C.Deepak Kumar
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) & 351(2) of BNS read with Section 4 of TNPHW Act in Crime No.445 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, petitioner along with other accused attacked the defacto complainant with hands and also threatened with dire consequences. Hence, the complaint.

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

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and the nature of injuries, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on is appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.V, Salem** on condition that each of 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 learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen 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 one of the identity proofs to ensure their identity;



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[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.

12.12.2025

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To

- 1.Judicial Magistrate No.V, Salem.
- 2.The Inspector of Police,
B-6 Kondalampatti Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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