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CRL OP No. 34

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34728 of 2025

1. Aruna
2. Murugan
3. Shanthi

Petitioner(s)

Vs

The State rep.by its, The Inspector of
Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
Cr.No.421 of 2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNS Act to enlarge the petitioners on bail in the event of arrest in Cr.No.421 of 2025 on the file of the respondent police station.

For Petitioner(s): M/s.E.Sathiyaraj Elangovan

For Respondent(s): Ms.J.R.Archana, GA (Crl.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), 351(3) of BNS



(Corresponding Section 294(b), 323, 324, 506(2) of IPC) in connection with the Cr.

No.421 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that on 08.12.2025, the petitioners along with other accused went to the defacto complainant's house, abused the defacto complainant and his mother in a filthy language, assaulted him with iron rod and threatened with dire consequences, due to which, the defacto complainant sustained injuries and admitted in Government Hospital. Hence, the case.

3. Learned counsel for the petitioners submitted that petitioners are innocent persons, and they have been falsely implicated by the respondent police and they are no way connected with the offences as alleged by the prosecution and hence he prayed to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) would submit that reiterated the prosecution's case and on instructions submitted that the injured has been discharged from hospital after treatment and that the petitioners has no previous case, pending against them. However, she strongly objected to grant anticipatory bail to the petitioners.



5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel for both sides, the nature of alleged offences, and the fact that no prior criminal cases are pending against the petitioners, and further considering that custodial interrogation of the petitioners are not necessary in a case of this nature, I am inclined to grant anticipatory bail to the petitioners, subject to the following 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 fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Kalasapakkam, Tiruvannamalai District** 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] the petitioners shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the



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evidence;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

18-12-2025

gbi
To

- 1.The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
2. The Judicial magistrate, Kalasapakkam,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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