



CRL.O.P.(MD)No.8800 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.05.2025

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THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL.O.P.(MD)No.8800 of 2025

1. SP.Kumar @ Sivakumar
2. Kesavan

... Petitioners / Accused Nos.1 and 2

Vs.

State of Tamil Nadu through,
The Inspector of Police,
Karur Town police station,
Karur District.
(Crime No.799 of 2022)

... Respondent / Complainant

Prayer: Criminal original petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest or surrender in Crime No.799 of 2022 on the file of the respondent police.

For Petitioner : Dr.R.Alagumani

For Respondent : Mr.K.Gnanasekaran,
Government Advocate(Crl. Side).

* * *

ORDER

The petitioners/accused 1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 323, 363 and 506(2) IPC in Crime No.799 of 2022 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant belongs to a political party. It is alleged that due to previous enmity, on 20.12.2022 at about 7.15 pm., the petitioners along with other accused abused the defacto complainant with filthy language and assaulted him. Hence, the case has been registered.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their name has been falsely implicated in this case. He would further submit that the petitioners will never abscond and will not tamper the witnesses and also ready to abide by any condition imposed by this Court and hence, he seeks to grant bail to the petitioners.

4. The learned Government Advocate (Crl side) would submit that the petitioners are not having any previous case. The FIR was registered in the year 2022. One counter case was filed in Crime No.798 of 2022 on the file of the respondent police.

5. Taking into consideration of the facts and circumstances of the case and the fact that the petitioners are not having any previous case and also the fact that the case was registered in the year 2022 and by this time, most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions:



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6. 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 No.1, Karur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of 30 days and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(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



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme
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Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f)if the accused/petitioners thereafter absconds, a fresh FIR can be registered
under Section 269 BNS.

sd/-
21/05/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE, KARUR TOWN, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8800 of 2025
Date :21/05/2025

NBF/29.05.2025 4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023