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CRL OP No. 11535 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 11535 of 2026

Mohamed Sathakathulla

..Petitioner

Vs

The State Rep. by,
The Inspector of Police,
Paradarami Police Station,
Vellore District.
Crime No.73 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant an anticipatory bail to the petitioner in event of his arrest in Crime No. 73 of 2026 pending on the file of the respondent police.

For Petitioner:

Mr.S.Sundaresan Saminathan

For Respondent:

Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 241, 324(4), 61(2), 331(3) and 351(2) of B.N.S. in Crime No. 73 of 2026 on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that some accused persons allegedly trespassed into the property of the de facto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an Advocate. He further submitted that the de facto complainant and A1 to A10 are family members. Upon the ground that the petitioner being the counsel on record in the case between the de facto complainant and the accused, the petitioner has been arrayed as Accused. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Counsel (Criminal Side) strongly opposed the grant to anticipatory bail to the petitioner, however, has fairly submitted that the overt act against this petitioner is entering into de facto complainant's premises. However, he prayed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the



submissions made by the learned counsel on both sides, considering the totality of the circumstances and the nature of allegation against the petitioner, this

Court is of the view that custodial interrogation of the petitioner is not required.

Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Kudiyatham**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent Police as and when required;**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

15-06-2026

SHL

To:

The Judicial Magistrate,
Kudiyatham

2. The Inspector of Police,
Paradarami Police Station,
Vellore District.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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