



Crl.O.P.No.19233 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19233 of 2025

1.J.Murugan

2.K.Kartiravan @ Kathir

3.R.Balaji

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Anaikaranchatram Police Station,
Mayiladuthurai District.

Crime No.184 of 2025

... Respondent

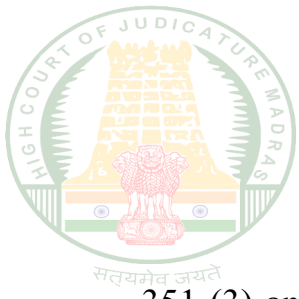
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in connection with Crime No.184 of 2025 on the file of respondent Police.

For Petitioner : Mr.M.Vijayaragavan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296 (b), 131, 115 (2), 126 (2), 118 (1),



Crl.O.P.No.19233 of 2025

351 (3) and 61 (2) of BNS, 2023 and Section 25 (1A) of the Arms Act, 1959, in Crime No.184 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that there was a land dispute between the first accused and one Sivaprakasam. While so, the said Sivaprakasam engaged the defacto-complainant as a driver for JCB. Due to which, on 12.06.2025, the accused persons came to the occurrence place and attacked the defacto-complainant using deadly weapon and he got injured. When his brother and his sister-in-law tried to prevent them, the accused persons attacked them. Hence the case.

3.The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged by the prosecution and had been falsely implicated in this case. Hence, prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) reiterated the prosecution and submitted that petitioners had no bad antecedents. The injured had been discharged from hospital. However, he opposed to grant anticipatory



Crl.O.P.No.19233 of 2025

bail to the petitioners.

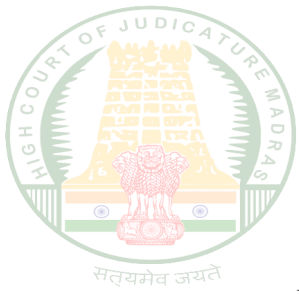
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5. Considering the submissions made by the learned counsel appearing on either sides, the fact that injured had been discharged from hospital and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Sirkazhil, Mayiladuthurai District**, 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] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



CrI.O.P.No.19233 of 2025

WEB COPY

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 everyday at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation;

[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] The petitioners shall not interfere with the property of the defacto complainant and to that effect an undertaking shall also be filed by the petitioner;

[h] 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



CrI.O.P.No.19233 of 2025

WEB COPY

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]**;

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

21.07.2025

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To

- 1.The Judicial Magistrate,
Sirkazhil, Mayiladuthurai District.
- 2.The Inspector of Police,
Anaikaranchatram Police Station,
Mayiladuthurai District.
- 3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.19233 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.19233 of 2025



WEB COPY



CrI.O.P.No.19233 of 2025

21.07.2025