



Crl.O.P.No.20133 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20133 of 2025

Samikannu

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.
Crime No.123 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.123 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Kartheeban

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)



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ORDER

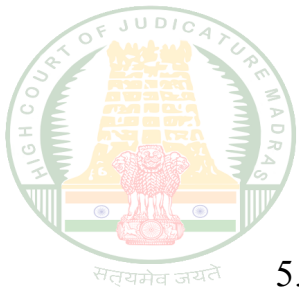
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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 105 of the Bharatiya Nyaya Sanhita Act, 2023 and Section 135(1)(a) of the Indian Electricity Act, 2003 in Crime No.123 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant's father, while cultivating the petitioner's land under oral lease, came into contact with an electric fence put up for protecting paddy crops and died. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioner.



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5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions that the petitioner shall remove the electric fence put up in the land.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order before the learned **Judicial Magistrate, Vandavasi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten 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



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[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;

[c] the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of Crime No.123 of 2025 before the learned Judicial Magistrate, Vandavasi, within a period of two weeks from the date of receipt of a copy of this order, and on such deposit, the legal heirs of the deceased is permitted to withdraw the same on proper acknowledgment.

[d] the petitioner shall report before the respondent police every Saturday at 10.30 a.m., for a period of eight weeks, and thereafter as and when required for interrogation;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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];**

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



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To

- 1.The Judicial Magistrate Court, Vandavasi.
- 2.The Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.

T.V.THAMILSELVI, J.

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