



Crl.O.P.No.22497 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

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- 1.Muthuvel
- 2.Kamaraj
- 3.Sathiyamoorthi
- 4.Ramamoorthi
- 5.Manivannan
- 6.Elanchezhiyan
- 7.Vengadachalam @ Venkatachalam
- 8.Jegathampal @ Jegakathampal
- 9.Marimuthu
- 10.Perumal
- 11.Rajandhiran @ Rajendran

... Petitioners

Vs.

The State rep by,
The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.309 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.309 of 2025 on the file of respondent Police.



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For Petitioners : Mr.Durai Arun
For Intervenor : Mr.A.Maheshnath
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **191(2), 191(3), 294(b), 118(1), 324(2), and 351(3) of BNS, 2023**, in Crime No.309 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. Dispute regarding pathway has led to a fight between the petitioners' family and the defacto complainant's family on 25.07.2025. Alleging that the fence laid by the defacto complainant in their patta land was damaged by the petitioners herein and when that was questioned by the defacto complainant and his family members, theses petitioners attacked the brother of the defacto complainant with stick and stone. One of the petitioners by name Muthuvel attacked the defacto complainant on the head using billhook and also injured left eye. A counter complaint also been given by the petitioners herein against the family members of Adhimoolam. On a perusal of the accident register given to



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Adhimoolam, the defacto complainant it appears laceration and contusion injury caused to him besides multiple aberration on the chest.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police states that on a complaint given by Muthuvel, the other case in Crime No.308 of 2025 was registered against Adhimoolam and three others. The First Information Report in both the cases indicate that after fencing the land preventing the petitioners herein to access through their land, Adhimoolam and his family members have refused to allow the petitioners using the pathway. So by force the petitioners wanted to remove the fence, when that was objected there had been altercation between two groups leading to registration of the complaint. Hence, he opposed for grant of anticipatory bail to the petitioners.

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



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6. Considering the nature of the complaint, **since the injured is out of danger and discharged from the hospital**, this Court is of the view that the anticipatory bail to the petitioners will be granted on conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 21.08.2025**, before the learned **Judicial Magistrate, Court, Kunnam, Perambalur 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 fail to surrender before the concerned Magistrate on or before 21.08.2025, 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 the identity proofs to ensure their identity;



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[c] the petitioners shall stay at Tiruvannamalai and report before the Town police daily at 10.30 a.m., for a period of 30 days 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] 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 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];**

[h] 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, Kunnam,
Perambalur District.

2.The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.309 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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