

Crl.O.P.No.23969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23969 of 2025

1. A.Prabakaran.

2. P.Mathivadani.

... Petitioners/Accused 1 & 2

/versus/

The State of Tamil Nadu
Rep.by The Inspector of Police,
Anandapuram Police Station,
Villupuram.

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleaded to enlarge the petitioners on Anticipatory Bail in the event of their arrest in Crime No.206 of 2025 on the file of the respondent police, which is not uploaded in online so far.

For Petitioners : Mr.P.Venkatesan

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioners, who apprehending arrest at the hands of the respondent police, for the alleged offences punishable under Sections 296(b), 115(2), 351(3) of BNS, 2023 read with Section 4 of TNPHW Act, in Crime No.206 of 2025, on the file of the respondent police, seek anticipatory bail.

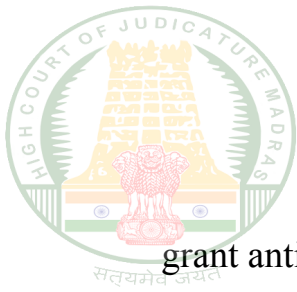
2. The prosecution case is that it is a land dispute between neighbours during the construction of house led to a physical assault.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioners attempted to half-load sand on the wife of the defacto complainant.

4. The learned counsel for the petitioners submits that they have been falsely implicated in this case and they are willing to abide by any conditions imposed by this Court in the event of grant of anticipatory bail.

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

6. Considering the nature of the complaint, this Court is inclined to



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grant anticipatory bail to the petitioners subject to certain conditions.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 12.09.2025** before the learned **Judicial Magistrate Court, Gingee**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** **with two sureties**, each for a likesum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] If the petitioners fail to surrender before the concerned Court on or before 12.09.2025, 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;

[c] The petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance



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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];

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

01.09.2025

bsm

To,

1. The Judicial Magistrate Court, Gingee.
2. The Inspector of Police, Anandapuram Police Station, Villupuram.
3. The Public Prosecutor, High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

Dr.G.JAYACHANDRAN, J.

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