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Crl.OP.No.25584 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

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THE HON'BLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25584 of 2025

S.Periyasamy

... Petitioners / A2

Vs.

State rep by
The Inspector of Police,
Sankari Police Station,
Salem District.
(Cr.No.371 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 their arrest in connection with Cr.No.371 of 2025 on the file respondent police.

For Petitioners : Mr.W.Camyles Gandhi

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

ORDER

The petitioner herein, apprehends arrest at the hands of the respondent for the alleged offence under Sections 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.371 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that due to previous enmity, there was a wordy quarrel between the petitioner and defacto complainant with respect to land dispute, which quarrel escalated into violence and leads to registration of FIR.

3. The learned counsel appearing for the petitioner would submit that the de facto complainant has sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the defacto complainant has been discharged from the hospital. He further submitted that there is a counter complaint given by the petitioner and other accused against the defacto complainant which has been registered as Crime No.372 of 2025. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the representation made by both side learned counsels and also considering that there was a property dispute between the parties and also considering the fact that the injured had been discharged from the hospital, no previous case pending against the petitioner, there is a case in



counter, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned ***Judicial Magistrate – I, Sankari***, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, 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 petitioner shall report before the respondent police daily at 10.00 a.m., for a period of one week and thereafter, as when required for the interrogation;



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[d] 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]**;

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

18.09.2025

smv

To

- 1.The Inspector of Police,
Sankari Police Station,
Salem District.
- 2.Judicial Magistrate – I, Sankari.
- 3.The Public Prosecutor,
High Court of Madras.

MR.K.RAJASEKAR, J.

smv



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