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CrI.O.P.No.25848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.25848 of 2025

1.Devarajan

2.Siva

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
Uthukottai Police Station,
Tiruvallur District.
Crime No.165 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.165 of 2025 on the file of the respondent police.

For petitioners : Mr.S.Deivasigamani

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



Crl.O.P.No.25848 of 2025

ORDER

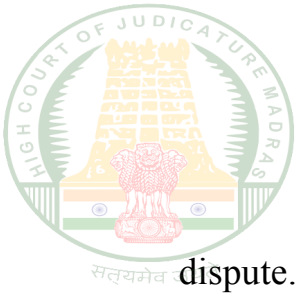
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The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 126, 351(3) of BNS Act, read with Section 4 of TNPWH Act, in Crime No.165 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, due to a land dispute, the petitioners along with co-accused waylaid the de facto complainant, abused her and her family members in filthy language, assaulted them with wooden logs, and threatened them with dire consequences. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the case is case-in-counter due to a land



Crl.O.P.No.25848 of 2025

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dispute. The injured persons treated as outpatient and discharged from the hospital.

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

6. Considering the nature of the complaint and the cause of the dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **District Munsif cum Judicial Magistrate, Utthukottai, Tiruvallur District**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten days from



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CrI.O.P.No.25848 of 2025

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 [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., for a period of one week, and thereafter, as and when required for interrogation;

[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 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.

19.09.2025

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CrI.O.P.No.25848 of 2025

To

- 1.The District Munsif cum Judicial Magistrate,
Utthukottai, Tiruvallur District.
- 2.The Inspector of Police,
Uthukottai Police Station,
Tiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.25848 of 2025

K.RAJASEKAR, J.

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CrI.O.P.No.25848 of 2025

19.09.2025