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Crl.OP.No.33821 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.33821 of 2025

Kathiravan

... Petitioner

Vs.

The State rep by ,
The Inspector of Police,
Thalanayar Police Station,
Nagapattinam District.
(Cr.No.18 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No.187 of 2025 on the file of the residence police.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 296(b), 121(1), 118(1) and 351(3) of BNS in Cr.No.187 of 2025, on the file of the respondent police. seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner is the Vice President of Town Panchayat and he demanded the Engineer to measure the development work in particular street which was refused by the Engineers on the ground that they have allotted with other works. In respect of the same, the petitioner rode the two wheeler, attempted to dash against the defacto complainant and the said vehicle was ran over the leg of the defacto complainant and sustained injuries. Thereby, the petitioner was involved in threatening the officers of the municipality, which lead to the registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the Vice President of Town Panchayat, he had failed to appear before the Town Panchayat Office Meeting continuously for the past three years. Hence, he will be disqualified and already in this regard, notice was also issued on 28.11.2025 to the petitioner herein. He further submitted that previous case is reported against him is also political protest cases and 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 reported that though the FIR was registered in the month of July 2025, investigation is pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. A perusal of records revealed that this Court twice dismissed the petitioner's earlier anticipatory bail petitions on the ground that the petitioner has caused injuries to the Government officials and also threatened her with dire consequences. It is now stated that the petitioner is likely to disqualify for his non attending the meeting and FIR itself was kept pending by the respondent police for the purpose of preventing the petitioner from attending the meeting of the Town Panchayat and also considering the fact that the previous case cited are political protest cases.

7. Considering the facts and circumstances of the case, the previous cases cited are political protest cases and investigation is pending, though previous bail petition was dismissed by this Court, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions



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8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned ***District Munsif-Cum-Judicial Magistrate Court, Vedaranyam*** 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**



(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

10.12.2025

Vv

To

1. The District Munsif-Cum-Judicial Magistrate Court,
Vedaranyam
2. The Inspector of Police,
Thalanayar Police Station,
Nagapattinam District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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