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Crl.O.P.No.3393



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33934 of 2025

1.Saritha

2.Mahalakshmi

3.Pazhanivel

4.Arumugam

... Petitioners

-VS-

State Rep by,
The Inspector of Police
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.690 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of their arrest in Crime No.690 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Nedunchezhiyan

For Respondent : M/s.J.R.Archana
Government Advocate (Crl.Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 74, 351(2) of BNS in Crime No. 690 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that due to property dispute, the petitioners abused and assaulted the defacto complainant. Due to which, the defacto complainant sustained injuries. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that there is a case in counter case against the defacto complainant and a false case has been foisted against the petitioners. Therefore, he prays for grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the injured has been discharged from the hospital and there are one previous cases against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also of



the fact that there is case in counter case and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Ullundurpet, Kallakurichi District**, on condition that **the petitioner shall execute a separate 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:

(a) If the petitioners 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 petitioners shall report before the**



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respondent police everyday at 05.30 p.m., for a period of two 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 petitioners in accordance with law as if the 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 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.

11.12.2025

mpa

To

- 1.The Judicial Magistrate-II, Ullundurpet, Kallakurichi District.
- 2.The Inspector of Police
Thirunavalur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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