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CRL OP No.35490 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP No. 35490 of 2025

and

Crl.M.P.No.24906 of 2025

CRL OP No. 35490 of 2025:

Varadharaj
S/o.Ramasamy
No.4/427, Kottai 1st Street, Royakottai,
Krishnagiri District

Petitioner(s)

Vs

State by
The Inspector of Police,
Royakottai Police Station,
Krishnagiri District
Crime No.265 of 2025

Respondent(s)

Crl.M.P.No.24906 of 2025:

Krishnamoorthy
S/o.Ramasamy
D.No.4/256, Kottai 1st Street,
Royakottai, Krishnagiri District

Intervening Petitioner/*de facto* complainant

Vs



1.Varadharaj
S/o.Ramasamy
No.4/427, Kottai 1st Street, Royakottai,
Krishnagiri District

Respondent/Petitioner(s)

2.State by
The Inspector of Police,
Royakottai Police Station,
Krishnagiri District
Crime No.265 of 2025

Respondent/Respondent(s)

Prayer in CRL OP No. 35490 of 2025: Criminal Original Petition filed under Section 482 of B.N.S.S. to grant anticipatory bail to the petitioner in the event of his arrest in Crime No.265 of 2025 pending on the file of the respondent.

Prayer in Crl.M.P.No.24906 of 2025: Criminal Original Petition filed under Section 528 of B.N.S.S. to permit the petitioner to intervene in Crl.O.P.No.35490 of 2025 on the file of this Court.

For Petitioner(s): Mr.P.M.Jayachandran

For Intervening
Petitioner: Mr.M.P.Saravanan

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



ORDER

The petitioner/accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 351(3), 49, 118(1) and 126(2) of B.N.S. in connection with the Crime No.265 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 18.11.2025 around 11.30 a.m., when the *de facto* complainant went to Mariamman Temple, the petitioner, who is the elder brother of the *de facto* complainant, along with other accused threw chilli powder on his face, tried to assault him and threatened him with dire consequences and hence the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent of the offences and he is no way connected in this case. He would further submit that the petitioner and the *de facto* complainant are brothers and there was already property dispute between them. Further, he would submit that the co-accused were arrested and released on bail by the Judicial Magistrate, Denkanikottai. Hence, the petitioner may be released on anticipatory bail.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that based on the complaint given by the *de facto* complainant, the respondent police registered a case in Crime No.265 of 2025 for the offences under Sections 351(3), 49, 118(1) and 126(2) of B.N.S. and the case is under investigation. He would further submit that none has been injured in this case and there is no previous case pending against the petitioner. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervening petitioner reiterated the prosecution case and strongly opposed for the grant of anticipatory bail to the petitioner.

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

7. Considering the rival submissions on either side, considering the nature of offences, the fact that there was a property dispute between the petitioner and the *de facto* complainant, that none has been injured in this case and further considering the fact that there is no previous case pending against this petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.



8. Accordingly, this criminal original petition is allowed and 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 **District Munisf-cum-Judicial Magistrate, Denkanikottai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police at 10.30 a.m., on every Saturday for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[d] the petitioner shall not leave India without the previous permission of the Court;

[e] the petitioner shall not abscond either during investigation or trial;



[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]; and

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

Connected Crl.M.P.No.24906 of 2025 is ordered.

30-12-2025

nsd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes; Neutral Citation:Yes/No

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.



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To

1. The District Munisf-cum-Judicial Magistrate, Denkanikottai.

2.The Inspector of Police,
Royakottai Police Station,
Krishnagiri District
Crime No.265 of 2025

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

nsd

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