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CRL OP No. 36102 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 36102 of 2025

1. V. Malaiyaraja
2. Velankanni
3. Anthoniraj
4. Devidraj

..Petitioners

Vs

State, represented by
The Inspector of Police
Thirukoilur Police Station,
Kallakurichi District
(Cr.No.663 of 2025)

..Respondent(s)

Prayer: Criminal Original Petition filed u/s.482 of BNSS 2023 seeking to enlarge the petitioners on bail in the event of his arrest in respect of Crime No.663 of 2025 on the file of the respondent police.

For Petitioner(s):

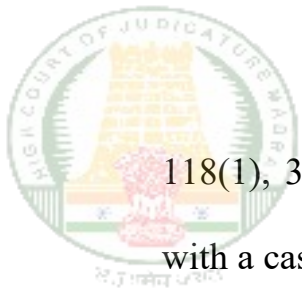
Mr. Malarvannan C R

For Respondent(s):

Mr.S.Udaya Kumar, GA (crl.side)

ORDER

The petitioners who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2),



118(1), 329(3), 74, 303(2) of Bharathiya Nyaya Sanhita, 2023 in connection with a case in Cr.No.663 of 2025 seek anticipatory bail.

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2. The case of the prosecution is that due to previous enmity on account of a land dispute between the defacto complainant and petitioners, the petitioners along with others formed an unlawful assembly, trespassed into the field of the defacto complainant and attempted to plant saplings on the land in dispute. When the same was questioned by defacto complainant, they abused her with filthy language, assaulted and also threatened her with dire consequences and also snatched her 5 sovereign of jewellery. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have been falsely implicated in the case. Infact, the present complaint is a counter blast given to the earlier complaint given by the 1st petitioner in Cr.No.662 of 2025 for the offence u/s.296(b), 351(2) of BNS, 2023, 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989 against the defacto complainant and her son in law. The petitioners have not committed any such offence as alleged by the prosecution. They do not have previous case in the similar nature and the injured has been discharged from the hospital. Therefore, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the major allegation against the petitioners is that they trespassed in to the land of the defacto complainant, attempted to plant saplings on the land in dispute and having regard to the same, there arose a quarrel between both sides and in the course of which, the petitioners have assaulted, abused and also threatened the defacto complainant with dire consequences. He further submitted that already there was a civil dispute pending between the parties and the injured has been discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the facts and circumstances of the case and the nature of offence and also taking note of the fact that it is a case and case in counter and already there is a civil dispute pending between the parties, and injured was also discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners subject to the following 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 fifteen days from the



date on which the order copy made ready, before the **Judicial Magistrate Court, Thirukoilur** on condition that the petitioners shall execute separate 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 petitioners shall report before the respondent on every Saturday for a period of four weeks.

[b] the petitioners 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 them from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action 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 vs. State of Kerala [(2005)AIR SCW 5560].

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

30.12.2025



Note :

- 1. Registry is directed to forthwith upload this order in the official website of this Court.*
- 2. All concerned shall act on this order being uploaded in the official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.*

To

1. The Judicial Magistrate Court, Thirukoilur
2. The Inspector of Police
Thirukoilur Police Station,
Kallakurichi District
3. The Public Prosecutor
High Court, Madras.



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CRL OP No. 36102 of 2



P.DHANABAL J.

mst/gv

CRL OP No. 36102 of 2025



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CRL OP No. 36102 of 2



31.12.2025