



CRL OP(MD). No.4440 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.4440 of 2025

1. A.Rajangam

2. Santhi

3. D.Ramesh

... Petitioners/A1 to A3

Versus

State of Tamilnadu,
State Represented by
The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.41 of 2025)

... Respondent/Complainant

For Petitioners : Mr.Belco S.Meltiue

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Cr.No.41 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 61(2), 316(2) and 318(4) of BNS, 2023, in Crime No.41 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally taken over the possession of the land belonging to the father of the defacto complainant in S.No.46/1 and 2, Kottampatti Revenue Village, Melur Taluk. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the 1st petitioner legally got the physical possession of the the said land through Court proceedings in E.P.No.124 of 2020. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that there are rival complaints between the petitioners and the defacto complainant, and that a civil suit is pending between the parties.

5. According to the petitioners, the suit was allowed in their favour and an Execution Petition was also filed. It is further submitted that there are 10 other complaints pending against the defecto complainant. Consideration of the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for



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a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required. They have to co-operate for the investigation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(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 petitioner 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



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down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
28.10.2025

jbr

To

1. The Judicial Magistrate,
Melur,
Madurai District.
2. The Inspector of Police,
Kottampatti Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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