



CRL OP(MD). No.7636 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.P.Subbaiah @ Kuttiyan

2.M.Siva

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
Crime No.184 of 2025

... Respondent/ Complainant

For Petitioners : Mr.R.L.Dhilipan Pandian

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.184 of 2025 on the file of the respondent-police.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 23.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

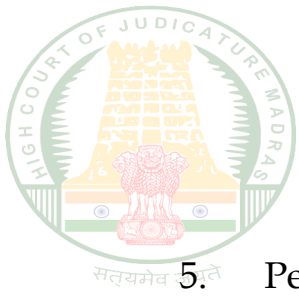
2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.184 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, due to previous enmity related to a dispute over a bull, on 31.03.2025, the petitioners abused the defacto complainant in filthy language, assaulted him with sickle and threatened him with dire consequence. Hence, the case.

4. Mr.R.L.Dhilipan Pandian, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and a false case has been foisted against them. He however submits that the petitioners are ready to abide by any conditions to be imposed by this

Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

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5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side)
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appearing for the respondent-police, submits that the defacto complainant was admitted in the hospital on 31.03.2025 and discharged on 05.04.2025. He further submits that the petitioners have no previous case. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It appears that due to some domestic quarrel, the petitioners attacked the defacto complainant with sickle and iron rod. The petitioners and the defacto complainant are adjacent land owners. Considering the same and also considering the fact that the injured has been discharged from the hospital and with a view to an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.V, Tirunelveli, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to



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the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli;

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(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by a police officer as and when required;

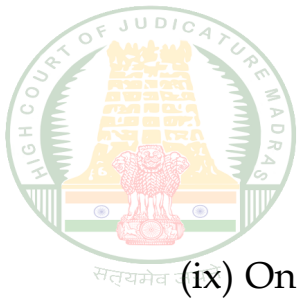
(iv) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(v) The petitioners shall not leave India without the previous permission of the Court;

(vi) Thereafter, the petitioners shall stay at Tenkasi and appear and sign before the Inspector of Police, Tenkasi Police Station, daily at 09.00 a.m. and 05.00 p.m. until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.V, Tirunelveli;

(viii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and



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(ix) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

Sd/-

25/04/2025

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Sub Assistant Registrar
(CS - I/ II / III /IV)
Madurai Bench of Madras High Court,
Madurai.

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TO

1.The Judicial Magistrate No.V,
Tirunelveli.

2.Do Through
The Chief Judicial Magistrate,
Tirunelveli.

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3.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

4.The Inspector of Police,
Tenkasi Police Station, Tenkasi.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s.R.L.DHILIPAN PANDIAN, Advocate SR.No.28797[F] dated
29.04.2025.

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Date : 25.04.2025

KVL/26.05.2025 6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023