



CRL OP(MD)No.8436 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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1. Manikandan,
S/o.Krishnan,
No.33, Periyar Street,
Thirumalapuram,
Thenpothai,
Panpozhi,
Tirunelveli District.

2. Kumar K.
S/o.Krishnan,
No.33/1, Periyar Street,
Thirumalapuram
Thenpothai,
Panpozhi,
Tirunelveli Distrcit.

... Petitioners

Vs

State of Tamilnadu Rep. by
The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.

... Respondent

For Petitioners : Mr.K.Dinesh



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For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.157 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 351(2) of BNS and Section 4 of TNPHW Act, in Crime No.157 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioners abused the defacto complainant in filthy language and also attacked her. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the



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petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that on 14.03.2025, due to land dispute, the defacto complainant's husband had unlawfully trespassed into the 1st petitioner's house and threatened the wife of the 1st petitioner and also assaulted her. Therefore, on the next day, i.e. on 15.03.2025, the 1st petitioner and his wife went to the defacto complainant's house, at that time, the defacto complainant abused the 1st petitioner and his wife in filthy language and threatened them with dire consequences, for which, they gave a complaint against the defacto complainant, based on which, a case has been registered in Cr.No.156 of 2025. Thereafter, this false case has been foisted against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submits that it is a case of land dispute and a counter case has been registered in Cr.No.156 of 2025.

5. Considering the nature of the allegations and also considering the fact that it is a case of land dispute and a counter case has been registered in Cr.No.156 of 2025, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on anticipatory 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, Sengottai, 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 a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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. until further orders.

[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 petitioners in accordance



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with law as if the conditions have been imposed and the petitioners released on bail
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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 of BNS 2023.

sd/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1. THE JUDICIAL MAGISTRATE,
SENGOTTAI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TENKASI.
3. THE INSPECTOR OF POLICE,
SHENKOTTAI POLICE STATION,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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WEB COPY +1 CC to M/s.K.DINESH, Advocate (SR-5440[I] dated 09/05/2025)

ORDER
IN
CRL OP(MD) No.8436 of 2025
Date :08/05/2025

HPS/29.05.2025 /6P/6C

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