



CRL OP(MD). No.8873 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS. JUSTICE R.POORNIMA

CRL OP(MD). No.8873 of 2025

1. Nachimuthu

2. Papathi

... Petitioners/ Accused
Nos.1 & 2

Vs

The State of Tamilnadu
The Inspector of Police,
Kattupudhur Police Station,
Trichy District.
(Crime No. 196 of 2025).

... Respondent/ Complainant

For Petitioners : Mr. N.Balasubramanian
Advocate.

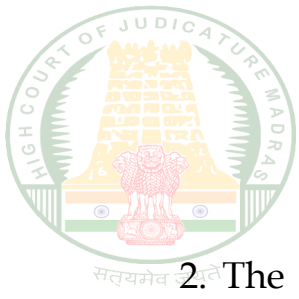
For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.196 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 118(1) & 351(3) of BNS in Crime No.196 of 2025 on the file of the respondent police, seek anticipatory bail.



CRL OP(MD). No.8873 of 2025

WEB COPY

2. The case of the prosecution is that already the petitioners and the defacto-complainant were having land dispute regarding boundary issues. On the date of occurrence, when the defacto-complainant was cutting trees in the boundary, the petitioners questioned about the same for which wordy quarrel arose between the parties. The petitioners attacked the defacto-complainant with wooden lock and fled away from the place of occurrence. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the case, due to previous enmity, a false case has been foisted against the petitioners. The petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. Hence, he prayed to allow this petition.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the defacto-complainant now discharged from hospital and there is no previous case against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that injured the person has already been discharged from hospital and there is no previous case against the petitioners and also considering the substance of the case, this Court is inclined to grant anticipatory bail to the petitioners



CRL OP(MD). No.8873 of 2025

subject to certain conditions.

WEB COPY

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 of receipt of a copy of this order, before the learned Judicial Magistrate, Thottiyam, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five 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, 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 for a period of 30 days and thereafter as and when required for interrogation;

[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 with law as if the conditions have been imposed and the petitioners released on bail by the



CRL OP(MD). No.8873 of 2025

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
WEB COPY
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/-
28/05/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1 THE JUDICIAL MAGISTRATE,
THOTTIYAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
KATTUPUDHUR POLICE STATION,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WEB COPY



CRL OP(MD). No.8873 of 2025

ORDER
IN
CRL OP(MD) No.8873 of 2025
Date :28/05/2025

SA/SAR. /02.06.2025/5P/5C

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