



CRL OP(MD). No.9796 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.06.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Santhosh Kumar,
S/o.Gobal

2.Murugeswari,
W/o.Ponnusamy

3.Gopal,
S/o.Raguraman

4.Tamilarasi,
W/o.Gopal

5.Sinthiya,
W/o.Vimal Sugumaran

...Petitioners/ A1, A5, A7 to A9

Vs

State represented by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.220 of 2025)

...Respondent/ Complainant



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For Petitioners : Mr.M.Anbarasi,
Advocate
For Respondent : Mr.S.Prakash,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Section 482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.220 of 2025 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1, A5, A7 to A9, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) and 49 of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.220 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to a land dispute between the petitioners and the de-facto complainant, on 03.06.2025, the petitioners, along with other accused persons, abused the de-facto complainant in filthy language, assaulted him and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that it is a case, case in counter. The petitioners are innocent persons and they have not committed



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any offence as alleged by the prosecution. In fact, the de-facto complainant and his henchmen have attacked the petitioners, for which a complaint has also been lodged against the de-facto complainant and others in Crime No.222 of 2025 on the file of the respondent police. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the issue pertains to a civil dispute, and the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case, and taking note of the fact that it is a case, case in counter, and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Uthamapalayam 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 to the Police Officer, who intends to



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arrest or to the satisfaction of the learned Judicial Magistrate, Uthamapalayam and
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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 furnish their residential address and mobile number to the learned Judicial Magistrate, Uthamapalayam. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Uthamapalayam;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]; and;



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

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

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TO

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3.The Inspector of Police,
Chinnamanur Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1 CC to M/s.M.ANBARASI, Advocate (SR-6473[I] dated 18/06/2025)

ORDER

IN

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Date :17/06/2025

MK/30.06.2025 5P/6C

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