



CRL OP(MD).No.10068 of 2025

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

Date : 24.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10068 of 2025

1.Ramachandran S/o Lakshmanan ... (*)First Petitioner / Accused No.02

2.Kalaiselvi W/o Ramachandran ... (*)Second Petitioner / Accused No.01

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.219 of 2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.219 of
2025 on the file of the respondent police.

For Petitioners : Mr.R.Velmurugan,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 118(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.219 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a habitual drunkard, and on 04.06.2025 at about 12.05 p.m., in a drunken state, he quarrelled with the petitioners regarding a land dispute between the 1st petitioner and the defacto complainant. During the course of the altercation, the defacto complainant fell down and sustained an injury on his right shoulder, along with minor scratch injuries on his body. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioners. He would further submit that there no previous cases against the petitioners. Hence, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that there are totally two accused persons in this case and the petitioners have been arrayed as A1 and A2. He would further submit that the injured was discharged from the hospital on 08.06.2025. He would further submit that there are no previous cases against the petitioners. He would also submit that the investigation is still pending, and therefore, he opposes the grant of anticipatory bail to the petitioners at this stage.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and taking into consideration the nature of offence allegedly committed by the petitioners and also taking note of the fact that there are no previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of

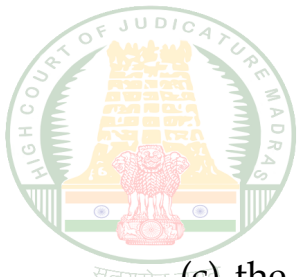


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their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Ilayangudi, Sivagangai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for 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 District Munsif cum Judicial Magistrate, Ilayangudi, Sivagangai District 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 furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Ilayangudi, Sivagangai District. In the event of any change in their residential address, the petitioners shall report the same to the learned District Munsif cum Judicial Magistrate, Ilayangudi, Sivagangai District.



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(c) the first petitioner shall report before the respondent police daily at 10.30 a.m. until further orders and the second petitioner shall report before the respondent police weekly once on Sunday 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].

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



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8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

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sd/-
24/06/2025

(*)Amended as per the order of this
Hon'ble Court dated 22/07/2025
made in CrI.MP(MD)No.9404 of 2025
in CrI.OP(MD)No.10068 of 2025

/ TRUE COPY /

23/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

To be substituted with the order dated 14/07/2025 already despatched

- 1.THE JUDICIAL MAGISTRATE,
ILAYANGUDI,
SIVAGANGAI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.

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



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

+1 CC to M/s.R.VELMURUGAN, Advocate (SR-6718[I] dated 25/06/2025)

ORDER
IN
CRL OP(MD) No.10068 of 2025
Date :24/06/2025

PR/10.07 .2025 7P/6C

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