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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10527 of 2025

1. Gnanantham
2. Sundari
3. Chithra Kala Alagar @ Kala .. Petitioners/Accused Nos.1, 2 & 4

Vs

The State of Tamil Nadu,
The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
(Crime No.80 of 2025) .. Respondent/Complainant

For Petitioners : Mr.S.Packiya Muthu
Advocate
For Respondent : Mr.S.Prakash
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.80 of 2025 on the file of the Respondent Police.

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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 329(3), 296(b), 303(2), 351(2) of Bharatiya Nyaya Sanhita, 2023 in Crime No.80 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 03.06.2025at about 12.00 p.m., the defacto complainant along with Surveyor and the Village Administrative Officer conducted a survey of the property in S.No.7/11A belong to the defacto complainant, at that time, the 2nd and 3rd accused objected, claiming that the property belong to their relative one Sethupathiraja. However, the officials disregarded their objection and proceed with the survey. Later, at around 05.00 p.m., while the defacto complainant fixing boundary stones near the accused land, at that time, the accused persons have abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Hon'ble Court. Hence, he seeks

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anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that no one was sustained injuries and there is no previous case pending against the petitioner. He further submitted that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that no one was sustained injuries and the investigation has been almost completed and there is no previous case pending against the petitioners, 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 Judicial Magistrate-V, Madurai, on condition that each of the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 Judicial Magistrate-V, Madurai, and on further

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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-V, Madurai, In the event of any change in their residential address, the petitioners shall report the same to the Judicial Magistrate-V, Madurai;

(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

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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;

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

sd/-
25/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm
To
1.The Judicial Magistrate-V,
Madurai.

2. Do Through The Chief Judicial Magistrate,
Madurai.

3.The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.

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

+1 CC to M/s.S.PACKIYA MUTHU, Advocate (SR-6767[I] dated 25/06/2025)

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ORDER
IN
CRL OP(MD) No.10527 of 2025
Date :25/06/2025

HPS/10.07.2025 /6P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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