



CRL OP(MD). No.10542 of 2025

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

Date : 09/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10542 of 2025
and
CRL MP(MD). No.8653 of 2025

1.Chinnaiya,
S/o.Karuppaiya

2.Kaliyammal,
W/o.Chinnaiya

... Petitioners/ A1 & A2

Vs

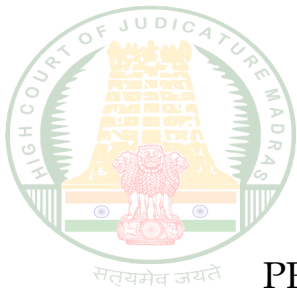
The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
(Crime No.97 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Prasanna,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate (Criminal Side)

For Intervenor : Mr.M.Ragul, Advocate



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.97 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) and 351 (3) of BNS, 2023 in Crime No.97 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the de-facto complainant are neighbours. On 09.06.2025, a verbal altercation arose between the petitioners and the de-facto complainant regarding the sweeping of the front portion of the house. During the incident, the petitioners allegedly abused the de-facto complainant using filthy language, assaulted her with sticks, and further threatened her with dire consequences. Hence, the present case.

3. The learned counsel for the petitioners submitted that it is a case, case in counter. The petitioners are innocent persons and are in no way connected with the alleged occurrence as stated by the prosecution. In fact, it was the de-facto complainant and her family who assaulted the petitioners and the mother of the first petitioner, who is an elderly woman aged about 80 years, by beating them with



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sticks and using filthy language. As a result of the incident, a case has been registered against the de-facto complainant in Crime No.98 of 2025 on the file of the respondent police. He, however, submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned counsel for the intervenor submitted that the de-facto complainant was brutally attacked by the petitioners. He further submitted that the injured is still taking treatment as outpatient. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) submitted that it is a case, case in counter. The petitioners have been arrayed as A1 and A2. A4 has been granted anticipatory bail on 01.07.2025 by the learned Principal District and Sessions Judge, Pudukkottai in CrI.M.P.No.1805 of 2025. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, and also taking note of the fact that it is a case, case in counter, and that one of the co-accused has already been granted anticipatory bail, and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to



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certain conditions.

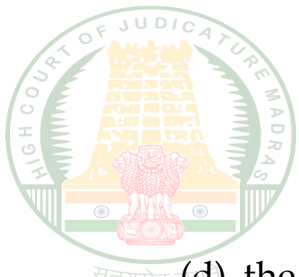
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7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi 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 Judicial Magistrate, Aranthangi 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 Judicial Magistrate, Aranthangi. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Aranthangi;

(c) the petitioners shall report before the Inspector of Police, Aranthangi Police Station, Pudukkottai District daily at 10.30 a.m., until further orders;



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(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;

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

8. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

09/07/25

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/2025

Sub Assistant Registrar (CS)
Madurai Bench of Madras High Court,
Madurai.

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TO
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1.The Judicial Magistrate,
Aranthangi.

2.Do through
The Chief Judicial Magistrate,
Pudukkottai District.

3.The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

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

Copy to

The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

+1 CC to M/s.R.PRASANNA, Advocate (SR-7408[I] dated 11/07/2025)

ORDER IN
CRL OP(MD) No.10542 of 2025
and
CRL MP(MD). No.8653 of 2025
Date : 09/07/2025

AVK/23.07.2025 6P/7C

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