



CRL OP(MD). No.11084 of 2025

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

Date : 10/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11084 of 2025
and
CRL MP(MD). No.8971 of 2025

1.David,
S/o.Sebashtin

2.Albert Antony,
S/o.Arulanantham

... Petitioners/ A1 & A2

Vs

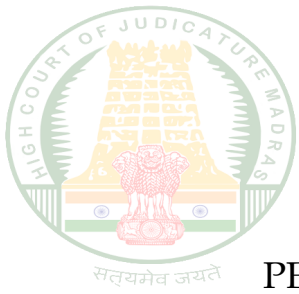
The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram.
(Crime.No.60 of 2025)

... Respondent/Complainant

For Petitioners : Mr.V.Kathirvel, Senior Counsel
for Mr.K.Prabhu, Advocate

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

For Intervenor : Mr.B.Mahendrarajan, Advocate



CRL OP(MD). No.11084 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.60 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.60 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner owns a land. Adjacent to his land, one Michale Raj owns agricultural land, which he had leased to the de-facto complainant for cultivation. There was a civil dispute between the de-facto complainant and the 1st petitioner. While so, on 15.06.2025, at about 10.00 a.m., while the de-facto complainant was returning home from church, he saw the petitioners cutting down trees on the land belonging to Michale Raj. When the de-facto complainant questioned them, the 1st accused allegedly attacked him with a sickle on his left wrist, and the 2nd accused attacked him on the head with a stick and also threatened him with dire consequences. Hence, the present case.

3. The learned counsel for the petitioners submitted that it is a case, case in



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counter. The petitioners are innocent persons and have not committed any offence as alleged by the prosecution. In fact, it was the de-facto complainant, who, along with his wife, trespassed into the land and threw stones at the petitioners, thereby causing injuries. Subsequently, a complaint has been lodged by the 1st petitioner against the de-facto complainant, which is pending at the CSR stage 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 to the petitioners.

4. The learned counsel for the intervenor submitted that if the petitioners are granted anticipatory bail, they may be directed to appear before the concerned Court, as the jurisdictional police station is located near the residence of the de-facto complainant, and there is a possibility that the petitioners may pose a life threat to the de-facto complainant. However, 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 counter case is pending in C.S.R. No.87 of 2025 dated 15.06.2025. 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



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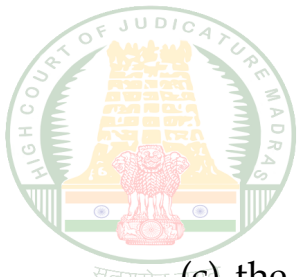
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the fact that it is a case, case in counter, and that the injured has been discharged from the hospital, and that as the date of occurrence is 15.06.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of 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, Thiruvadanai, Ramanathapuram 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 Judicial Magistrate, Thiruvadanai, Ramanathapuram 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 Judicial Magistrate, Thiruvadanai, Ramanathapuram District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District;



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(c) the petitioners shall report before the Inspector of Police, JJ Nagar Police Station, Chennai daily at 10.00 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 themselves 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/-

10/07/25

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



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TO

1.The Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District.

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

3.The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram.

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

Copy to

The Inspector of Police,
JJ Nagar Police Station,
Chennai.

+1 CC to M/s.K.PRABHU, Advocate (SR-7391[I] dated 10/07/2025)

ORDER IN
CRL OP(MD) No.11084 of 2025
and
CRL MP(MD). No.8971 of 2025
Date : 10/07/2025

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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