

CRL OP(MD). No.11135 of 2025

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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.11135 of 2025

and

CRL MP(MD). No.8670 of 2025

1.Krishnakumar,
S/o.Elangovan

2.Elangovan,
S/o.Varadaraj

3.Boomadevi,
W/o.Elangovan

... Petitioners/ A1 to A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
(Crime No.142 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.Mohan.A.,
Advocate



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

For Intervenor : Mr.P.Ganapathi Subramanian,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.142 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351 (2) of BNS, 2023 in Crime No.142 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the 2nd petitioner are brothers. Due to a property dispute between them with regard to adjoining agricultural lands, on 10.04.2025, at about 5.00 p.m., while the de-facto complainant and his son were standing on the disputed land, the petitioners allegedly assaulted them using their hands and stones, thereby causing injuries. Hence, the present case.



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3. The learned counsel for the petitioners submitted that it is a case, case in 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 and his son who initiated the physical altercation and attacked the petitioners, causing them to sustain injuries. As a result of the incident, a case has been registered against the de-facto complainant in Crime No.149 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 sole intention of the petitioners was to murder the de-facto complainant and therefore, they attacked him on his private parts. He further submitted that if anticipatory bail is granted to the petitioners, they may be directed to appear before some other police station. 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 petitioners have been arrayed as A1 to A3. He further submitted that the injured has been discharged from the hospital. However, he



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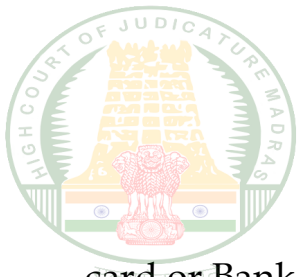
opposed to grant anticipatory bail to the petitioners.

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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 the issue pertains to a property dispute, and that the injured has been discharged from the hospital, and that as the date of registration of FIR is 14.06.2025, 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, Keeranur, Pudukkottai 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, Keeranur, Pudukkottai 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



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card or Bank pass Book to ensure their identity;

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(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Keeranur, Pudukkottai District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Keeranur, Pudukkottai District;

(c) the petitioners shall report before the Inspector of Police, Mathur Police Station, Pudukkottai District 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;

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



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

Sd/-

09.07.2025

// True Copy //

/ / 2025

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

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TO

1.The Judicial Magistrate,
Keeranur, Pudukkottai District.

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

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

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

Copy to
The Inspector of Police,
Mathur Police Station,
Pudukkottai District.



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ORDER
IN
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and
CRL MP(MD). No.8670 of 2025

Date : 09/07/2025

JJ/24.07.2025 7P/ 6C

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