



CRL OP(MD).No.11592 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.11592 of 2025

Prabhakaran,
S/o.Gopal,

...Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thevaram Police Station,
Theni District.
(Crime No.89 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.A.Arputharaj
Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.89 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 24.06.2025 for the offences punishable under Sections 191(2), 191(3), 296 (b), 115(2), 118(1) and 109 of BNS in Crime No.89 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto-complainant having agricultural land in the locality. On 23.06.2025, at about 04.00p.m, this petitioner and other accused persons were grazing their cattle in the defacto-complainant's land and damaged the crops. When the defacto-complainant questioned the same, this petitioner along with other accused attacked the defacto-complainant and his wife and caused grievous injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally five accused persons were involved in this case, this petitioner was arrayed as first accused. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. Already this court granted anticipatory bail to the other co-accused. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 24.06.2025 nearly 15 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner and other accused persons were grazing their cattle in the defacto-complainant's land and damaged the crops. When the same was questioned by the defacto-complainant, this petitioner and other accused persons attacked the defacto-complainant and thereby he sustained grievous injury. One counter case is pending in Cr.No.90 of 2025. The injured person was admitted in hospital on 23.06.2025 and



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discharged on the next day. In this case, the other co-accused were enlarged on anticipatory bail by this court by way of order made in CrI.O.P.(MD).No.11146 of 2025 dated 02.07.2025. This petitioner is having four previous cases. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, injured person discharged from hospital, there is a case in counter in Cr.No.90 of 2025, the other accused persons were already been enlarged on anticipatory bail, the petitioner/accused No.1 is in judicial custody from 24.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Bodinayakkanur and on further conditions that :-

[a] 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 petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Bodinayakkanur. If the petitioner changes his



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residential address, he shall report the same to the learned Judicial Magistrate,
Bodinayakkanur;

[c] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m., and 05.30p.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
09/07/2025

/ TRUE COPY /

09/07/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

- 1 THE JUDICIAL MAGISTRATE, BODINAYAKKANUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER-INCHARGE, DISTRICT PRISON, THENI.



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4 THE INSPECTOR OF POLICE, THEVARAM POLICE STATION, THENI
DISTRICT.

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

+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-7294[I] dated 09/07/2025)

ORDER
IN
CRL OP(MD) No.11592 of 2025
Date :09/07/2025

NBF/09.07.2025 5P/7C

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