



CRL OP(MD)No.12421 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD)No.12421 of 2025

1.Santhosh Kumar,
S/o.Rajendran.

2.Babu,
S/o.Rajendran

: Petitioners/ A3 & A5

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Singampunari Police Station,
Singampunari,
Sivagangai District.
(Crime No.29 of 2025)

: Respondent/ Complainant

For Petitioners : Mr.Niranjan S.Kumar
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.



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PRAYER:-

For Anticipatory Bail in Crime No.29 of 2025 on the file of the Respondent Police.

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 191(2), 329(3), 296(b), 115(2), 118(1), 133, 351(2) of BNS r/w Section 4 of TNPHW Act, in Crime No.29 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working as Two wheeler mechanic; that there was a civil dispute between the parties, due to which, the petitioners along with other accused persons entered into the two wheeler workshop and abused the defacto complainant and also assaulted him. When the same was questioned by one Suganya and his sister, the accused persons abused them in filthy language and also attacked them with deadly weapons and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submitted that multiple civil suits were pending before the competent civil Court for more than a decade with regard to the property dispute. In such



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circumstances, on 19.01.2025, the defacto complainant and his men have trespassed into the property and tried to construct the wall restraining the pathway of the petitioners to access their property. Due to which, there arose wordy quarrel, the defacto complainant and his men abused the petitioners, attacked them and also caused injuries, for which, a case in Crime No.10 of 2025 has been registered for the very same police station against the defacto complainant on 16.02.2025.

4.The learned Government Advocate (Criminal Side) for the respondent police submitted there arose property dispute between the parties. Both parties attacked each other and the injured persons were discharged from the hospital. Counter case in Crime No.10 of 2025 is pending. He further submitted that first petitioner is having two previous cases and the second petitioner is having five previous cases.

5. Considering the facts and circumstances of the case and also the facts that there existed property dispute between the parties and the injured persons were discharged from the hospital, 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.

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 learned Judicial Magistrate, Singampunari,



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Sivagangai, on condition that the petitioners shall execute a bond for a sum of
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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, Singampunari,
Sivagangai, 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, Singampunari, Sivagangai. In the event of any
change in their residential address, the petitioners shall report the same to the
learned Judicial Magistrate, Singampunari, Sivagangai;

(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



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with law as if the conditions have been imposed and the petitioners released on bail
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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/-
28/07/2025

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/08/2025

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

das

TO

- 1.The Judicial Magistrate, Singampunari, Sivagangai.
- 2.The Inspector of Police, Singampunari Police Station,
Singampunari, Sivagangai District.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

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Date :28/07/2025

PS/SAR.25.08.2025 5P/4C

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