



CRL OP(MD). No.13111 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13111 of 2025

1.Balakrishnan,
S/o.Kannan

2.Velmurugan,
S/o.Kayambu

3.Vellaisamy,
S/o.Kayambu

4.Mockai,
S/o.Kayambu

5.Kannan,
S/o.Alagumalai

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.164 of 2025)

... Respondent/ Complainant



CRL OP(MD). No.13111 of 2025

WEB COPY

For Petitioners

: Mr.Navaneetha Raja,
Advocate

For Respondent

: Mr.S.Prakash,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.164 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under (*)Sections 191(2), 191(3), 296(b),118(1) and 351(3) of BNS, 2023 in Crime No.164 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to an existing civil dispute between the petitioners and the de-facto complainant, on 28.07.2025, at about 11.00 a.m., while the de-facto complainant was cultivating his farmland, the petitioners, along with other accused, trespassed into the de-facto complainant's land and attacked him in connection with the usage of well water in the farmland. Hence, the present case.



CRL OP(MD). No.13111 of 2025

WEB COPY

3. The learned counsel appearing for the petitioners submitted that this is the case, case in counter. A counter case has been registered against the de-facto complainant by the petitioners in Crime No.165 of 2025 on the file of the respondent police. He submitted that the petitioners are innocent persons and are in no way connected with the alleged occurrence as stated by the prosecution. They have been falsely implicated in this case. He further 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 Government Advocate (Crl. side) submitted that the petitioners and the de-facto complainant are relatives. It is a case, case in counter. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also taking note of the fact that it is a case, case in counter, and that the injured has been discharged from the hospital, and both the parties are relatives and there is an existing civil dispute between them, and that as the date of occurrence is 28.07.2025, by this time most of the investigation might have been



CRL OP(MD). No.13111 of 2025

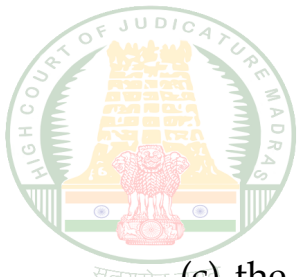
completed, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

WEB COPY

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Aundipatty 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Aundipatty, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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, Aundipatty. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Aundipatty;



CRL OP(MD). No.13111 of 2025

WEB COPY

(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 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
07/08/2025

(*)Amended as per the order of this Court dated 03/09/2025 made in CRL MP(MD) No.11783 of 2025 in CRL OP(MD) No.13111 of 2025.

/ TRUE COPY /

03/09/2025
Sub-Assistant Registrar(CS.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.13111 of 2025

WEB COPY

To be substituted to the order which is already despatched on 29/08/2025

MKN

TO

1 The Judicial Magistrate,
Aundipatty.

2 Do Through
The Chief Judicial Magistrate,
Theni District.

3 The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

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



CRL OP(MD). No.13111 of 2025

WEB COPY +1 CC to Mr.K.NAVANEETHARAJA Advocate, SR -9563[I] DATED 03/09/2025

ORDER
IN
CRL OP(MD) No.13111 of 2025
Date :07/08/2025

AS/03.09.2025/7P/6C

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

NM/26.08.2025/ 7P/5C

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