



CRL OP(MD).No.13172 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.13172 of 2025

Karuppaiya @ Karuppaya,
S/o.Kayambu,

...Petitioner/ Accused No.5

Vs

The State of TamilNadu
rep.by
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.164 of 2025)

... Respondent/Complainant

For Petitioner : M/s.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 petitioner, who apprehends 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



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BNS in Crime No.164 of 2025 on the file of the respondent police, seek anticipatory
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bail.

2. The case of the prosecution is that already there was dispute regarding the well water usage is pending between the defacto-complainant and his paternal uncle namely Kannan. On 28.07.2025 at about 12p.m. While the defacto-complainant along with his brother namely sethuraman while searching for a perfect place for erecting bore well at that time the petitioner along with balu, vellai, velmurugan and mukkai had entered quarrel with the defacto-complainant and they also attacked the defacto-complainant with wooden log and when the defacto-complainant fell down, the petitioner along with other persons threatened the defacto-complainant by showing weapons and threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that it is the case of civil dispute, the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He further submits that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that it is the case of civil dispute regarding the usage of well water. Due to which, wordy



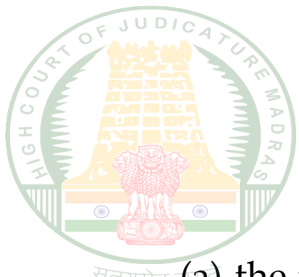
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quarrel arose between them and they attacked each other, the defacto-complainant sustained simple injury and he was treated as out patient. A counter case in counter in Cr.No.165 of 2025 is pending before the respondent police. In this case, A1 to A5 were enlarged on anticipatory bail by this court in Crl.O.P.(MD).No.13111 of 2025 dated 07.08.2025. There is no previous case against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking into account of the fact that it is the case of civil dispute, a counter case in counter in Cr.No.165 of 2025 is pending before the respondent police, the co-accused were enlarged on anticipatory bail by this Court in Crl.O.P.(MD).No.13111 of 2025 dated 07.08.2025, the injured person was treated as out patient, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aundipatty, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, Aundipatty, and on further conditions that:



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(a) the petitioner 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 petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Aundipatty. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Aundipatty;

(c) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner 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 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]; and;



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

sd/-
11/08/2025

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/ /2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

TO:-

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

ORDER
IN
CRL OP(MD) No.13172 of 2025
Date :11/08/2025

SBN/28.08.2025 5P/4C

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