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CRL OP(MD). No.16314 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17.10.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Semmalar
2.Kisek
3.Marimuthu
4.Kannan ... Petitioners

Vs

The State of Tamilnadu
Rep.by the Inspector of Police,
Sholavandan Police Station,
Madurai District.
(Crime No.Not known of 2025) ... Respondent/Complainant

For Petitioners : Mr.GR.Balakumar

For Respondent : Mr.S.S.Manoj

Government Advocate (Crl.Side)

For Intervenor/defacto complainant: Mr.J.Vishnu

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS
For Anticipatory Bail in Crime No.Not known 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 under Sections 296(b) and 351(3) of
BNS, corresponding to Sections 294(b) and 506(ii) IPC, in Crime No.Not
known of 2025 on the file of the respondent police, seek anticipatory
bail.



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2. The case of the prosecution is that the defacto complainant is the husband of the first petitioner and the second and third petitioners are their children and the 4th petitioner is the driver. Due to land dispute between the petitioners and the defacto complainant, there was frequent domestic and verbal altercations between the parties. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that it is purely a civil dispute and the investigation is almost completed and the petitioners complied the earlier direction given by this Court and the first petitioner had submitted her version of the case and also a written submission through RPAD. However, he opposed for grant of anticipatory bail to the petitioner.



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5. In the written submission, the first petitioner had stated that the defacto complainant and the first petitioner were separated long back, however, formal divorce and other maintenance was not filed. But there was an agreement between the parties for maintaining themselves by the income through the property in dispute. Now there is a dispute in the said property. This Court is convinced with the said submission and hence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of the petitioners 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 learned Judicial Magistrate, Vadipatti, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity;



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[b] based on the written submission, the respondent police shall proceed further and there is no need for personal appearance of the petitioners to appear before the respondent police;

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioners shall not abscond either during investigation or trial;

[e]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 are 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];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

17.10.2025

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To

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

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