



CRL OP(MD). No.18793 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.11.2025

PRESENT

THE HON'BLE MRS.JUSTICE S.SRIMATHY

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1.Paulraj
2.Saravanan

... Petitioners/
A3 & A5

Versus

The State of Tamil Nadu
rep. by The Inspector of Police,
District Crime Branch,
Tankasi, Tenkasi District.
(Crime No.9 of 2025)

... Respondent/
Complainant

For Petitioners : Mr.K.Kevinkaran
Advocate.

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2025 on the file of the



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Respondent Police.

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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.9 of 2025, for the offence punishable under Sections 319(2), 318(4), 336(2), 338, 336(3), 340(2), 344 and 61(2) of BNS, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 25.08.2025, when the defacto complainant came to her house plot, the accused persons put fence on the property based on the fabricated documents and tried to kill the defacto complainant and her husband. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that on 28.10.2025, this Court directed the petitioners to cancel the sale deed and submit a report. However, already there is another litigation, where there is a direction in favour of the defacto complainant. Therefore, the said order cannot be complied with. Hence, he prays for grant of anticipatory



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bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police opposes to grant anticipatory bail to the petitioners.

5. In view of the submissions made by the learned counsel for the petitioner and considering the facts and circumstances of the case, 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 arrest or on their appearance, 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 learned Judicial Magistrate No.I, Tirunelveli, 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



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and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before **the respondent police daily at 10.30 a.m. for a period of two weeks** and thereafter, as and when required for interrogation;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned



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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

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

7. Accordingly, this Criminal Original Petition is allowed.

(SSYJ)
07.11.2025

apd

TO

1. The Judicial Magistrate No.I
Tirunelveli.
2. The Inspector of Police,
District Crime Branch,
Tankasi, Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY.,J

apd

ORDER
IN
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