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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16.10.2025

PRESENT
THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.18001 of 2025

1.Pandi
2. Soundaravalli ... Petitioners

Vs

The State of Tamil Nadu
Rep. by, the Sub Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
(Crime No.493 of 2025) ... Respondent/Complainant

For Petitioners : Mr.R.Rajesh Kumar
For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.493 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 296(b), 118(1) and 351(2) of BNS, 2023, in Crime No.493 of 2025 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that when the defacto complainant was unloading red soil in his lands in S.No.307/7A, the petitioners who have encroached the Government Canal, visited the defacto complainant's land and abused him using filthy language and attacked him. 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 petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are no previous cases pending against the petitioners and the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioners.

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5. Considering the facts and circumstances of the case and also the fact that the petitioners have no previous cases and considering the age of the petitioners, 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 each of 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 learned Judicial Magistrate No.I, Sivagangai, 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;

[b] **the petitioners shall report before the respondent police as and when required;**

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

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[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.

16.10.2025

PJL

To
1.The Judicial Magistrate No.I, Sivagangai.

2.The Inspector of Police,
Kalaiyarkovil Police Station, Sivagangai District.

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

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