



CRL OP(MD). No.17929 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. A.Prammadevan
2. M.Barathan
3. R.Shakthivel
4. J.Rajeshkannan @ Kannan

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.
Cr.No. 300 of 2025.

*(Amended as per order of this Court dated 24.10.2025 in
Crl.M.P.(MD)No.15321 of 2025 in Crl.O.P.(MD)No.17929
of 2025)*

... Respondent/Complainant



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For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Cr.No.300 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), 329(4), 296(b), 324(4), 324(5) and 351(3) of BNS, 2023, in Crime No.300 of 2025, seek anticipatory bail.

2. The case of the prosecution is that due to a property dispute, the petitioners trespassed into the property of the defacto complainant, abused him in filthy language, threatened him and damaged the fencing

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of the property. Hence, the complaint.

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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 A-1 was earlier arrested and but remand was denied by the Judicial Magistrate. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that due to a property dispute, the petitioners trespassed into the property of the defacto complainant, abused him in filthy language, threatened him and damaged the fencing of the property. He further submitted that first petitioner has one previous case, second petitioner has nine previous cases, third petitioner has one previous case and fourth has two previous casess.

5. The dispute between the defacto complainant and A-1 is regarding property dispute. Admittedly, two writ petitions were filed by A-1 and the defacto complainant. The specific order was only to survey



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the property and not to dispossess any person who was in possession.

However, after receiving the order, the defacto complainant entered the disputed site and immediately fenced the property. The petitioners reacted to this and went to the property and removed the stones and fence. Thereafter, the defacto complainant preferred the present complaint. The defacto complainant has violated the writ order. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Usilampatti, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 report before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
03.11.2025

jbr

TO

1. The Judicial Magistrate No.2, Usilampatti.
2. The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

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ORDER
IN
CRL OP(MD) No.17929 of 2025

Date : 03/11/2025