



CRL OP(MD). No.18895 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 29/10/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Namachivayam,
S/o.Palaniappan

2.Dhanalakshmi,
W/o.Namachivayam

... Petitioners/A6 & A7

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Namanasamudram Police Station,
Pudukkottai District.
(Crime No.9 of 2024)

... Respondent/Complainant

For Petitioners : Mr.Santhanam Rajesh Kumar B,
Advocate

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.9 of 2024 on the file of
the Respondent Police.

1/6



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ORDER : The Court made the following order :-

The petitioners/A6 & A7, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), and 307 of IPC, in Crime No.9 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a social activist and he initiated action against the encroachment made by the petitioners due to which the other accused on the instigation of the petitioners, abused the defacto complainant and criminally intimidated him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are now residing at Singapore and they are innocent persons and have not committed any offences as alleged by the prosecution, and they have been falsely implicated in this case. 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 for the



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petitioners.

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4. The learned Government Advocate (Criminal Side) submitted that there is no previous cases pending against the petitioners. The specific overtact against the petitioners is that they have instigated the other accused to attack the defacto complainant. Being the social activist, the defacto complainant initiated action against the encroachment made by the petitioners, since the petitioners house also built in encroached land. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is no previous cases against the petitioners and considering the nature of offence, 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



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Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumayam, Pudukkottai District, 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 daily at 10.30 a.m, for a period of one week and thereafter as and when required;

[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



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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]; and

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

29.10.2025

PJL

To

- 1.The Judicial Magistrate,
Thirumayam, Pudukkottai District.
- 2.The Inspector of Police,
Namanasamudram Police Station,
Pudukkottai 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.18895 of 2025**

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