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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO.19256 of 2025

1. Dineshkumar
2. Mahesh
3. Murugesan
4. Manikandan

... Petitioners

Vs.

The State of Tamil Nadu,
Through the Inspector of Police,
Thirunagar Police Station,
Madurai City.
(Crime No.463 of 2025)

...Respondent

For Petitioners : Mr.Poovalingam

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

PRAYER :- For Anticipatory Bail in Cr.No.463 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 331(3), 305 and 318(4)



of BNS Act,2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners herein are relatives. Due to property dispute, the petitioners have committed house breaking and looted household articles, cash and gold ornaments and cheque books and pass book. Further, they have also leased the portion in which the defacto complainant resided to the third party without the knowlede of the defacto complainant. Hence, a case has been registered as against the petitioner.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that property dispute is pending between the parties.



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5.Considering the facts and circumstances of the case and also considering the fact that property dispute is pending between the parties, this Court is inclined to grant anticipatory bail to the petitioners 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 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 Judicial Magistrate Court-VI, Madurai, 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 are directed to deposit Rs.3 lakhs to the credit of crime number and thereafter the same shall be deposited in anyone of the nationalised bank in interest accruing deposit.



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[c] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders and cooperate with the investigation.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

[f]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 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].

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

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To

1. The Judicial Magistrate Court-VI, Madurai.
2. The Inspector of Police, Thirunagar Police Station,
Madurai City.
3. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J,

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Order made in
CRL OP(MD) NO.19256 of 2025

05.11.2025