



CRL OP(MD). No.19548 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 07/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Renuga

2. Harini ... Petitioners/Accused

Vs

State of Tamilnadu Rep by

The Inspector of Police,

Karur Town Police Station,

Karur.

Crime No.873 of 2025. ... Respondent/Complainant

For Petitioner : Mr.S. Krishnan,

Advocate.

For Respondent : Mrs.M.Aasha,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. Not know of 2025 on the file of
the respondent Police.

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2) and 351(2) of BNS, 2023, in Crime No. Not known of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the owner of the land situated on the left side of the Highways, Karur, in Survey No.216. A civil case is pending in respect of the said survey number in O.S.No. 185 of 2005, in which an interim injunction has been granted in favour of the defacto complainant. While the defacto complainant was in possession of the property, the petitioners allegedly came to the site and attacked the servants of the defacto complainant, thereby committing the alleged offence.

3. According to the petitioners, they were not involved in the alleged incident. The defacto complainant claims ownership of the property, whereas the petitioners have already filed another suit in O.S.No.191 of 2022 on the file of the Additional District Judge, Karur,



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against the purchaser from the defacto complainant, seeking a declaration in respect of the same property. In that suit, the defacto complainant has been impleaded as a defendant. However, without filing any written statement in that case, the defacto complainant has filed another suit in O.S.No.185 of 2025 on the file of the Principal District Munsif Court, Karur. According to the petitioners, the subsequent suit is barred by the principle of *resjudicata*, and they are taking steps to file a petition under Order VII Rule 11 of the Code of Civil Procedure for rejection of the plaint.

4. The petitioners further contended that the defacto complainant, without disclosing the true facts and suppressing that the petitioners are in possession of the property, has lodged a false complaint, pursuant to which a case was registered in Crime No.156 of 2025 and in the said case 1st petitioner was released on anticipatory bail. Now, in the present complaint, the first petitioner is the wife of one Maheshkumar, and the second petitioner is her daughter. The present petition has been filed at the crime number not known stage.

5. The learned Government Advocate (Criminal Side) submitted



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that the defacto complainant has already filed I.A.No.2 of 2025 and obtained an order of interim injunction against the petitioners, vide order dated 16.09.2025.

6. Per contra, the learned counsel appearing for the petitioners submitted that the petitioners have preferred a Civil Miscellaneous Appeal against the said order, and the same is pending. This fact clearly shows that there exists a rival claim with respect to the disputed property. When it is evident that the matter is purely civil in nature, the respondent police ought not to have entertained the criminal complaint at all. Therefore, this Court restrains the respondent police from interfering in what is essentially a civil dispute by entertaining a criminal complaint.

5. Considering the facts and ci this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

5. 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 No.1, Karur 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 for interrogation;

[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._____



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[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.

(g) The petitioners shall approach the concerned trial Court where the suits are pending and obtain orders regarding the damage that has been caused to the disputed property.

TRP

(S S Y J)
07.11.2025



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1. The Judicial Magistrate No.I, Karur.

2. The Inspector of Police,
Karur Town Police Station,
Karur.

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

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