



CRL OP(MD). No.23953 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.12.2025

PRESENT

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.23953 of 2025

1.J.Kamalakannan,
S/o.Jeyapal

2.Jegan,
S/o.Murugan

... Petitioners

Vs

State Rep. by
The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
(Crime No.346 of 2025)

... Respondent

For Petitioners : Mr.V.Santhakumaresan

For Respondent : Mr.A.S.Abul Kalaam Azad
Govt.Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS



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PRAYER :-

For Anticipatory Bail in Cr.No.346 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 118(1), 351(3) of BNS in Crime No.346 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 2nd petitioner and the defacto-complainant are brothers. The defacto-complainant is the elder brother. The 2nd petitioner is the younger brother. The 2nd petitioner and the defacto-complainant are the brother-in-laws of the 1st petitioner. The 1st petitioner married the sisters of the 2nd petitioner and the defacto-complainant. In respect of a house site measuring to an extent of 500 Sq.ft., a dispute is pending between the



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defacto-complainant and the 1st petitioner. On 22.12.2012, in respect of the dispute, a wordy quarrel arose between the 1st petitioner and the defacto-complainant. The petitioners joint together and attacked the defacto-complainant and caused grievous hurt and committed criminal intimidation and scolded the defacto-complainant with filthy language. Hence the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners were not involved in any of the offences as alleged by the prosecution. The petitioners are innocents persons and they have been falsely implicated in this case. Due to previous enmity, the defacto-complainant lodged a false complaint against the petitioners. The petitioners are law-abiding citizens and they will not abscond themselves and they are ready and willing to abide any stringent conditions imposed by this Court. He therefore



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prays this court for grant of pre-arrest bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police on instructions, would submit that due to previous enmity the petitioners attacked the defacto-complainant. There are no bad antecedents against the petitioners. The injured persons were admitted in hospital and later they were discharged from hospital. However, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of the allegations and considering the fact that the injured persons were discharged from hospital, there are no bad antecedents against the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:



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6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Nilakottai, Dindigul District, on condition that the petitioners shall execute separate 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.



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[b] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.

[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 petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

(M J R J)
26.12.2025

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To

- 1.The Judicial Magistrate Court,
Nilakottai, Dindigul District.
2. The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.JOTHIRAMAN, J

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ORDER
IN
CRL.OP (MD) .No.23953 of 2025

Dated : 26.12.2025