



CRL OP(MD)No.24019 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.12.2025

PRESENT

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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1.Pitchai
2.Elango

... Petitioners

Vs

State of Tamil Nadu through
Rep. by its The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.602 of 2025)

... Respondent

For Petitioners : Mr.K.Pragadeesh Kumar

For Respondent : Mr.A.S.Abdul Kalam Azad
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS, 2023

PRAYER :-

For Anticipatory bail in Cr.No.602 of 2025
on the file of the respondent police.

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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 296(b), 115(2), 351(3) and 74 BNS 2023, in Cr.No.602 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours. When the petitioners were levelling sand on their land, a wordy quarrel arose between the parties, due to which, the petitioners assaulted the defacto complainant and caused injuries.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in



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this case. In this case, injured was discharged from the hospital. There is counter case is pending in Crime No.603 of 2025.

4. The learned Government Advocate (Crl.side) appearing for the respondent police, on instructions, would submit that due to wordy quarrel, the petitioners had attacked the defacto-complainant. Now, the injured has been discharged from the hospital. He would further submit that the petitioners are not having any previous case. There is one counter case registered in Crime No.603 of 2025 and the same was pending investigation before the respondent police. However, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of the allegations and considering the fact that there is counter case in Crime No.603 of 2025 is pending before



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the respondent police and the injured has been discharged from hospital and that the petitioners are not having any previous case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, this Petition is allowed and 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 District Munsif cum Judicial Magistrate, Orathanadu, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail



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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.

[b] the petitioners shall report before the respondent Police weekly twice ie. on every Monday and Friday 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].



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[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 District Munsif cum Judicial Magistrate,
Orathanadu.

2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M. JOTHIRAMAN, J.

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