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CRL OP No. 8925 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8925 of 2026

1. Pappathi @ Papathy
W/o. Kannan,
residing at
No.22, Sivan Koil Street,
Arumbavoor Post and Village,
Veppanthattai Taluk,
Perambalur District.
2. Ramamoorthy
S/o. Kannan,
residing at
No.22, Sivan Koil Street,
Arumbavoor Post and Village,
Veppanthattai Taluk,
Perambalur District.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,
Arumbavoor Police Station,
Perambalur District.
(Crime No.46 of 2026)

..Respondent(s)

Prayer : Criminal Original Petition filed under Section 482 of BNSS, 2023, to grant an anticipatory bail to the petitioners in event of their arrest in Crime No.46 of 2026 pending on the file of the respondent police.

For Petitioner(s):

Mr.N. Palanisamy

For Respondent(s):

Mr.P.Dhileepan
Government Advocate (Crl.Side)



ORDER

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The petitioners apprehend arrest at the hands of the respondent police for the offence punishable under Sections 105 of BNS r/w 135(1)(a) and 135(1)(e) of Electricity Act, in Crime No.46 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.02.2026, when the defacto complainant's husband went to the agricultural field, he did not return home. It is alleged that he was later found dead near the field belonging to the accused due to electrocution caused by the fencing put up by them. Hence, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case and they have not committed any such offence as alleged by the prosecution. He further submitted that the occurrence took place on 06.02.2026 and that the co-accused has already been released on bail by the learned Principal District and Sessions Judge, Perambalur. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners had installed electric fencing without proper permission, resulting in the death of an innocent person, and hence, he opposed to grant anticipatory bail to the petitioners.

5. I have given my anxious consideration to either side submissions.

6. While looking at the factual position, there is no motive except the careless contact in this case. Taking into consideration the totality of the circumstances and upon the fact that the occurrence took place on 06.02.2026 and the co-accused was released on bail, and that the first petitioner is a woman and the second petitioner is the son of the first petitioner, this Court is of the firm view, that at this length of time, the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Veppanthattai**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:



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(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **Each of the petitioner is directed to make a non-refundable deposit of a sum of Rs.1,50,000/- [Rupees One Lakh Fifty Thousand Only] before the learned District Munsif cum Judicial Magistrate, Veppanthattai. On such deposit, the District Munsif cum Judicial Magistrate Court is directed to release the said amount on proper identification and on request, to the defacto complainant through her Bank Account;**

(d) **The second petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and the first petitioner shall report before the respondent as and when required for interrogation;**

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***



(f) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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DRL

To

1.The Inspector of Police,
Arumbavoor Police Station,
Perambalur District.

2.The District Munsif cum Judicial Magistrate,
Veppanthattai.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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