



CRL OP(MD). No.2034 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.2034 of 2026

1. Asaithambi
2. Pandiyan @ Chinna Pandi
3. Mugundan
4. Selvam
5. Mathankumar

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
Crime No.58/2026.

... Respondent/Complainant

For Petitioners : M/s.A.Banumathy,
Advocate.

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



CRL OP(MD), No.2034 of 2026

WEB COPY

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.58 of 2026 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) r/w. Section 49 of BNS, 2023, in Crime No.58 of 2026, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity arising out of a land transaction, the petitioners waylaid the defacto complainant, abused him in filthy language, assaulted him with their hands and legs, pushed him to the ground, attacked him with deadly weapons, thereby causing injuries, and criminally intimidated him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any



CRL OP(MD), No.2034 of 2026

offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that it is case and counter case and that A-3 has already been remanded. The second petitioner has 15 previous cases, the fourth petitioner has 18 previous case, the fifth petitioner has three previous cases and the petitioners 1 and 3 have no previous case pending against them. He further submitted that the injured has been discharged from the hospital.

5. Taking into consideration of the fact that it is a case and counter case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy



CRL OP(MD), No.2034 of 2026

made ready, before the learned Judicial Magistrate, Bodinayakanu, Theni District, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners 2 and 5 shall stay at Villupuram and report before the Inspector of Police, Town Police Station, Villupuram, daily at 10.30 a.m until further orders. The petitioners 1, 3 and 4 shall report before the respondent police as and when required for interrogation;

(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;



CRL OP(MD), No.2034 of 2026

WEB COPY

(e) 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 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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
03.02.2026

jbr

To

1. The Judicial Magistrate, Bodinayakanu, Theni District.
2. The Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
3. The Inspector of Police,
Town Police Station,
Villupuram.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



WEB COPY



CRL OP(MD), No.2034 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.2034 of 2026

Date : 03/02/2026