



CRL OP(MD). No.10527 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.10527 of 2026

Iyappan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
Cr.No.55 of 2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Cr.No.55 of 2026 on the file of the respondent police.

For Petitioner : T.Sugadev,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



CRL OP(MD). No.10527 of 2026

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 3(5), 329(4), 118(1), 305(a) of BNS and under Section 3 of TNPP(DL) Act, in Crime No.55 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, the petitioner along with the other accused trespassed into the house of the defacto complainant and abused him in filthy language and assaulted him and caused damage to the gate and wall of the defacto complainant's house and committed the theft of two cell phones worth about Rs.2,000/-. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that it is a case and case in counter and the injured was discharged from the hospital and no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



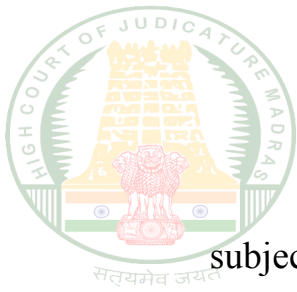
CRL OP(MD). No.10527 of 2026

WEB COPY

4. The learned Government Advocate (Crl. Side) would submit that due to pathway dispute, the petitioner along with the other accused trespassed into the house of the defacto complainant and abused him in filthy language and assaulted him and caused damage to the gate and wall of the defacto complainant's house and committed the theft of two cell phones worth about Rs.2,000/- and the investigation is still pending. Hence, he opposes to grant anticipatory bail to the petitioner. He would further submit that it is a case and case in counter and the injured was discharged from the hospital and no previous case is pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and there is a dispute with regard to pathway and it is a case and case in counter and the injured was discharged from the hospital and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner,



CRL OP(MD). No.10527 of 2026

subject to the following conditions:

WEB COPY

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Srivaikundam, Thoothukudi**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 a.m. for a period of 4 weeks, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or



CRL OP(MD). No.10527 of 2026

witness either during investigation or trial.

WEB COPY

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 petitioner 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

09.06.2026

dss

To

- 1.The Judicial Magistrate No.I, Srivaikundam, Thoothukudi.
- 2.The Inspector of Police,
Serakulam Police Station, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.10527 of 2026

P. DHANABAL,J

DSS

ORDER
IN
CRL OP(MD) No.10527 of 2026

Date : 09/06/2026