

TNMD010014692026



In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. S. SIVAKADATCHAM, B.Sc., M.L.,

Principal Sessions Judge, Madurai.

Monday, this the 9th day of March, 2026.

CrI.M.P.No.940/2026

CNR No.TNMD010014692026

1. Andichamy, S/o.Chinnamuthu

2. Kala, W/o.Manivannan

3. Ragini, W/o.Irulandi

4. Jeyapandi, W/o.Chinnamuthu

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Avaniyapuram P.S. in Cr.No.79/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.C.Kannan, Advocate for the petitioners and of Public Prosecutor for the State, this court passed the following:

Order

1. Anticipatory Bail application u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Heard both sides.

3. The learned counsel for the petitioners/accused would submit that the respondent police has registered a case against the petitioners in Cr.No.79/2026 for the offences u/s 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and 4 of TNPWH Act. The petitioners are innocent and they have not committed any offences as alleged. Due to previous enmity, the present false complaint has been lodged. Counter case is pending between the parties. Injured discharged from hospital. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioners apprehend arrest at the hands of police and they are ready to abide by any

conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioners.

4. The learned Public Prosecutor submitted that totally there are 4 accused in this case, who are the petitioners herein. As per the case of the prosecution, there existed enmity between the defacto-complainant and the accused. As a result, on 21.02.2026 at 07.00 a.m., when the defacto-complainant's son was taking his auto, A1 to A4 have prevented him and assaulted him. The defacto-complainant came to know the occurrence and rushed to the place of occurrence. On seeing the defacto-complainant, they have abused her in vulgar words, kicked her brutally, assaulted her son with iron rod, torn her dress and criminally intimidated them with dire consequences. Hence, the complaint. Injured discharged from hospital on 23.02.2026. Counter case in Crime No.78/2026 is pending, in which injured discharged from hospital and A3 was granted anticipatory bail by this court on 07.03.2026. Investigation is pending and made objections to allow the petition.

5. Rival contentions are taken into consideration. The alleged offences against the petitioners/accused are u/s 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and 4 of TNPWH Act. The occurrence is said to have taken place on 21.02.2026. The learned Public Prosecutor contended that both parties are neighbours, that motive prevails between them and counter case in Crime No.78/2026 is pending against the defacto-complainant and that in both cases injured discharged from hospital. No previous case is reported against the petitioners. As per the guidelines issued by the Hon'ble Supreme Court of India in the case of Arnesh Kumar Vs. State of Bihar in C.A.No.1277/2014, arrests should be an exception rather than the norm, particularly for offences carrying a punishment of less than seven years' imprisonment. The petitioners herein are charged for the offences u/s 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and 4 of TNPWH Act. Under such circumstances, considering the nature of offences, the discharge of injured and the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners on

conditions.

In the result, in the event of arrest or on their surrendering before the Court concerned, the petitioners are ordered to be released on anticipatory bail on their executing a bond for a sum of Rs.10,000/- each with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.VI, Madurai subject to the following conditions:-

(i) The petitioners shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioners shall appear and sign before the Inspector of police, respondent police station **daily at 05.00 p.m. for a period of 15 days.**

(iii) The petitioners shall co-operate with the investigation and shall not threaten the witnesses and shall not cause hindrance to the pending investigation.

(iv) If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate, concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560.**

Pronounced by me in the Open Court on the 9th day of March, 2026.

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.No.6. Madurai.
2. The Inspector of Police, Avaniyapuram P.S.
3. The Petitioner through his counsel.