

TNMD010018082026



In the Court of the Principal Sessions Judge, Madurai.

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

Principal Sessions Judge, Madurai.

Thursday, this the 12th day of March, 2026.

CrI.M.P.No.1111/2026

CNR No.TNMD010018082026

Anaimalai, S/o.Alagarsamy

... Petitioner/Accused.

Vs

State through the Inspector of Police,

T.Ramanathapuram P.S. in Cr.No.16/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.M.Ganesan, Advocate for the petitioner 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 petitioner/accused would submit that the respondent police has registered a case against the petitioner and others in Cr.No.16/2026 for the offences u/s 296(b), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and 4 of TNPWH Act. The petitioner is innocent and he has not committed any offence as alleged. Due to previous enmity, the present false complaint has been lodged. Co-accused were granted bail by the concerned Judicial Magistrate. The petitioner has not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioner apprehends arrest at the hands of police and he is ready to abide by any conditions that would be imposed by this court and prayed to allow the petition.

4. The learned Public Prosecutor submitted that totally there are 3 accused in this case and the petitioner is A2. As per the case of the prosecution, there existed

enmity between the defacto-complainant and the accused in the matter of irrigating their lands. As a result, on 02.03.2026 at 11.00 p.m., A1 to A3 have abused the defacto-complainant and her husband in vulgar words, A1 has torn the dress of the defacto-complainant and A1 to A3 criminally intimidated them with dire consequences and left. Hence, the case. Nobody was injured. Investigation is pending and made objections to allow the petition.

5. Rival contentions are taken into consideration. The alleged offences against the petitioner /accused are u/s 296(b), 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and 4 of TNPWH Act. The occurrence is said to have taken place on 02.03.2026. In this occurrence, nobody seems to be injured. No previous case is reported against the petitioner. Co-accused were granted bail by the concerned Judicial Magistrate. 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 petitioner herein is charged for the offences u/s 296(b), 351(3) of BNS and 4 of TNPWH Act. Under such circumstances, considering above facts, the nature of offences and punishment for the same 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 his surrendering before the Court concerned the petitioner is ordered to be released on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.II, Usilampatti subject to the following conditions:-

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

(ii) The petitioner shall appear and sign before the Inspector of police, respondent police station **daily at 10.00 a.m. for a period of 15 days.**

(iii) The petitioner shall co-operate with the investigation and shall not threaten the witnesses. He shall not induce 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 **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

Pronounced by me in the Open Court on the 12th day of March, 2026.

Principal Sessions Judge,
Madurai

Copy to

1. The J.M.No.2. Usilampatti.
2. The Inspector of Police, T.Ramanathapuram P.S.
3. The Petitioner through his counsel.