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Crl.M.P.No.493/2026
Mayiladumparai Police Station
Crime No : 72/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. Swarnam J. Natarajan, M.L.,

Principal Sessions Judge, Theni.

Friday, this the 13th day of March - 2026

Crl.M.P.No.493/2026 - In -

CNR.No.TNTH01-000881-2026

Aathi Sadaiyan

... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Mayiladumparai Police Station,
(Cr.No.72/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. P. Kannan, Advocate for the petitioner and Thiru. P. Baskaran, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following ...

ORDER

1. The petitioner is apprehending arrest for the offences charged u/s.296(b), 351(3) BNS and 4 of TNPHW Act and had filed this petition u/s.482 of B.N.S.S., seeking for his release on anticipatory bail in the event of his arrest.

2. According to the petitioner, the petitioner is the accused in the crime number and as against him, allegations have been levelled by the de-facto complainant alleging that the de-facto complainant and the petitioner are

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adjacent landowners. The branches of the crops grown in the petitioner's land had extended into the garden of the de-facto complainant and on that account, there was an enmity between the parties. In this situation, on 27.02.2026 at around 10.00 a.m., the petitioner had used filthy language against the de-facto complainant and criminally intimidated her and her husband. According to the petitioner, he is innocent and he has not committed any offence as alleged by the prosecution. The petitioner had given undertaking that he would never abscond nor tamper or hamper the witnesses and ready to abide by any condition imposed by the court and willing to produce sufficient solvent sureties to the satisfaction of the Judicial Magistrate. Hence, the Petitioner prays for considering his anticipatory bail application.

3. The respondent filed his detailed objections in writing and the learned Public Prosecutor had submitted that the investigation is still pending. In the event, if the petitioner is released on bail, he would abscond and may not appear before the Court by abiding the condition. He would indulge in similar offences and hence the Public Prosecutor strongly opposed the grant of anticipatory bail application to the petitioner.

4. By considering the submissions of the parties and the parties are adjacent landowners and the dispute is with respect to the branches of the crops

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grown in the petitioner's land extending into the garden of the de-facto complainant and considering the fact that nobody sustained any injury in the incident and a counter case has also been registered in Crime No.71/2026, this court is inclined to consider the anticipatory bail application of the petitioner with the following conditions.

(i) Bond and Sureties :-

In the result, the petition is allowed and the petitioner is directed to surrender before the **Jurisdiction Magistrate, Aundipatti** within 15 days from the date of receipt of the order or in the event of his arrest and production before the jurisdiction Magistrate concerned, **he is ordered to be released** on bail on his executing bond for Rs.10,000/- with two sureties each for like sum to the satisfaction of the **Jurisdiction Magistrate, Aundipatti**.

(ii) Daily Appearance Requirement :-

The petitioner **shall appear and report before the Respondent Police Station daily at 10.00 a.m., for 30 days** and thereafter, shall appear on summons. In the event, if the petitioner fails to surrender within 15 days from the date of order, the anticipatory bail granted automatically lapse.

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(iii) Identification Documentation :-

(a) The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

(b) The petitioner's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.

(iv) Maintenance of Active Contact Details for Receipt of E-Summons and Court Communications :-

The accused person shall, at the time of executing the bail bond, furnish to the Jurisdiction Magistrate concerned, his authenticated mobile number which is active and also email address, if any available, which shall be treated as the official contact details of the accused person for the purpose of service of summons, notices and all further communications in connection with the case including appeal. The accused person shall also provide the mobile number of an adult member of his family as an alternative contact number along with email ID, which is active. The sureties shall undertake the responsibility of ensuring that any communication / summons / notice received through the aforesaid contact details is duly intimated to the accused person without delay by furnishing their contact number as well as email ID. The contact details so



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furnished shall not be altered or changed during the pendency of the proceeding without prior permission of the court concerned, wherein the case is against the petitioner is pending. In the event of any change in the said contact details without prior intimation and permission of the court, such conduct shall entitle a presumption of due service of communication and it may also be treated as an indicative of the accused person absconding warranting appropriate action in accordance with law, including cancellation of bail for his failure to furnish the contact details.

Note :-

These particulars were obtained only to ensure the compliance of new amendment to the Criminal Rules of Practice for effective service of summons, intimation of further proceedings to the accused person through e-summons for early disposal of case / for speedy trial.

(v) Cooperation with Investigation :-

The Petitioner shall make himself available for interrogation by the respondent police Officer as and when required for enquiry.

(vi) Terms Imposed for Ensuring Expeditious Trial :-

By recording the undertaking of the petitioner's counsel that the petitioner would not delay the trial / inquiry in any event from his side by purposefully



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seeking for adjournment or deferring of the cross-examination of the witnesses, in the event if the chief examination is taken. In the event if the condition is violated, the court concerned is at the option to cancel the anticipatory bail granted by this court and remand the accused person to judicial custody, if it appears that the petitioner purposefully tries to drag on or delay the proceedings on his side or willfully absents himself, in co-ordination with the other accused persons, one after the other for the purpose of delaying the trial or committal proceedings further.

(vii) Non-Interference :-

The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the court or to any Police Officer.

(viii) Travel Restrictions :-

That the petitioner shall not leave the State of Tamil Nadu without prior permission of the learned Judicial Magistrate. The petitioners shall not commit further offences of similar nature and shall appear before the respondent police station as and when required.

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(ix) Compliance and Cooperation :-

The petitioner shall co-operate for early disposal of the matter.

(x) Consequences of Breach :-

On breach of the aforesaid conditions, the learned Judicial Magistrate, before whom the case is pending is at liberty to initiate / take appropriate action against the petitioner in accordance with law as laid down in the judgment of Hon'ble Supreme Court in P.K.Shaji Vs. State reported in AIR 2005 SCW 5506.

(xi) Absconding Consequences:-

In the event, if the petitioner absconds, a fresh F.I.R shall be registered u/s.269 of BNS.

Given by me, this the 13th day of March - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Aundipatti.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Mayiladumparai Police Station.
4. Counsel for the petitioner.

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