



CRL OP(MD) No.148 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.148 of 2025

1.C.Prabath

2.P.Methun Shakaravarthy

... Petitioners No.1 and 2 /
Accused No. 1 and 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
(Crime No.131 of 2024)

... Respondent/Complainant

For Petitioners: Mr.E.Marees Kumar,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 131 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for

the alleged offences under Sections 27(1), 30 of Arms Act and altered into 109 of BNS



CRL OP(MD) No.148 of 2025

Act, 2023, in Crime No.131 of 2024 on the file of the respondent police, seek
WEB COPY
Anticipatory bail.

2. The case of the prosecution is that a social media message was posted which was supported by one of the accused persons. As a result, the rival parties came to the residence of the first petitioner and there was a wordy quarrel. The petitioner is said to have threatened those persons by showing a pistol and they were also attacked by the petitioner and his family members.

3. The learned counsel for the petitioners submitted that the first petitioner sustained injuries and he took treatment in the private hospital. In the meantime, the first petitioner was produced before the learned Magistrate and he was remanded to judicial custody on 31.12.2024. The first petitioner sustained injuries and therefore, he continues to take treatment in the private hospital.

4. The learned Government Advocate (Criminal Side), on instructions, submitted that the anticipatory bail has become infructuous insofar as the first petitioner is concerned since he has been remanded to judicial custody. Insofar the second petitioner is concerned, it was submitted that till date the second respondent has not been made as an accused and therefore, there is no apprehension of arrest for



CRL OP(MD) No.148 of 2025

the second petitioner.

WEB COPY

5. This Court has carefully considered the submissions made on either side and perused the materials available on record.

6. This Court granted anticipatory bail to the accused persons in Crime No.130 of 2024 in CrI.OP(MD).No.84 of 2025 by an order dated 06.01.2025. While granting anticipatory bail, this Court took into consideration the fact that the first petitioner was taking treatment in the private hospital and also this Court considered the fact that there was a case and counter case pending investigation before the respondent police in Crime Nos.130 and 131 of 2024. This Court also took into consideration the manner in which the entire incident had taken place.

7. In view of the above, this Court is inclined to enlarge the first petitioner on bail and insofar as the second petitioner is concerned, since the second petitioner has not been arrayed as an accused, the same is being recorded and this Court finds that there is no apprehension of arrest for the second petitioner.

8. Accordingly, the first petitioner is ordered to be released on bail on his



CRL OP(MD) No.148 of 2025

WEB COPY

executing 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 Court, Thiruchuli, and on further conditions that:-

[a] 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 petitioner shall appear before the respondent police as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



CRL OP(MD) No.148 of 2025

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
07/01/2025

/ TRUE COPY /

/ 01 /2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE
THIRUCHULI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
A. MUKKULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-150[I] dated 07/01/2025)
<https://www.mhc.tn.gov.in/judis>



WEB COPY



CRL OP(MD) No.148 of 2025

ORDER
IN
CRL OP(MD) No.148 of 2025
Date :07/01/2025

PSP/ /SAR /07.01.2025/ 6P/ 7C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023