



CRL OP(MD). No.949 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/01/2025

PRESENT

THE HON'BLE MS.JUSTICE R. POORNIMA

CRL OP(MD). No.949 of 2025

Ajith

... Petitioner/ Accused No.1

Vs

The Sub-Inspector of Police,
Boothapandy Police Station,
Boothapandy,
Kanyakumari District.
Crime No. 73 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.Niranjana S. Kumar, Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.73 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence under Sections 294(b), 307, 324, 326, 341 and 506(ii) IPC, in Crime No.73 of 2024, on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.th.gov.in/judis>



CRL OP(MD). No.949 of 2025

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2. The case of the prosecution is that on 12.04.2024 at 5.15 pm, due to previous enmity regarding the criminal case, which is pending before the Judicial Magistrate Court, Boothapandy, when the defacto complainant came near the Manathittal Petrol Bunk in a two wheeler as a pillion rider, the petitioner along with his brother/A2 attacked the defacto complainant with aruval and caused injuries and also criminally intimidated him. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that the investigation is already over and the co-accused has also been released on bail. Therefore, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent concedes that the injured has been discharged from the hospital and the investigation in this case has already been completed and a final report has also been filed before the concerned Magistrate Court.

5.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

6.Considering the submissions made by the learned Additional Public Prosecutor that the injured has been discharged from the hospital and a final report has also been filed before the concerned Magistrate Court and also considering that



CRL OP(MD). No.949 of 2025

the co-accused has been released on bail, this Court is inclined to grant anticipatory bail to this petitioner with some conditions.

7. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Boothapandi, 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

- i. if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.
- ii. the petitioner and 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.
- iii. the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.



CRL OP(MD). No.949 of 2025

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- iv. the petitioner shall not tamper with evidence or witness either during investigation or trial;
- v. the petitioner shall not abscond either during investigation or trial;
- vi. 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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;
- vii. if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-

17/01/2025

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17/01/2025

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN /PMU



CRL OP(MD). No.949 of 2025

TO

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1 THE JUDICIAL MAGISTRATE, BOOTHAPANDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUB-INSPECTOR OF POLICE, BOOTHAPANDY POLICE STATION,
BOOTHAPANDY, KANYAKUMARI DISTRICT.

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

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-497[I] dated 17/01/2025)

ORDER

IN

CRL OP(MD) No.949 of 2025

Date :17/01/2025

RS/IT/SAR-(17.01.2025) 5P 6C

Madurai Bench of Madras High Court is issuing
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