



CRL OP(MD). No.951 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

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1.John,

2.Deepsan @ Ignatius Deepson,

3.Joseph,

4.Rabiston @ Michael Rabiston,

... Petitioners/ Accused 1,3,5 & 6

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Koodankulam Police Station,
Tirunelveli.

Crime No.578 of 2024.

... Respondent/ Complainant

For Petitioners :Mr. K.R.Laxman,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :- For Anticipatory Bail in Crime no.578 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 offence under Sections 191(2), 191(3), 296(b), 118(1), 109(1) and 351(3) of Bharatiya Nyaya Sanhita, 2023, in Crime No.578 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. The defacto complainant's dog had bitten several people and in this regard, both of the petitioners and the defacto complainant had a quarrel and attacked each other. Therefore, a case in Crime No.578 of 2024 has been registered as against the petitioners and a counter case in Crime No.581 of 2024 has also been registered as against the defacto complainant.

3.The learned counsel appearing for the petitioners submits that due to a small quarrel between the petitioners and the defacto complainant, a false case has been registered as against these petitioners. He further submits the no injured has been treated as inpatient. The learned counsel further submits that the ingredients of the implicated sections do not attract the allegations made by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent submits that there was a quarrel between the neighbours and there is a case and



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counter case. He further submits that the injured has already been discharged from the hospital on 08.01.2025.

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

6. Taking into consideration the facts and circumstances of the case and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Radhapuram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.
- ii. the petitioners 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.



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iii. the petitioners shall report before the respondent police daily at 10.30 a.m

until further orders.

iv. the petitioners shall not tamper with evidence or witness either during investigation or trial;

v. the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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VRN/PMU

TO

1 THE JUDICIAL MAGISTRATE,
RADHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI.

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

ORDER
IN
CRL OP(MD) No.951 of 2025
Date :17/01/2025

SA/SAR. /17.01.2025/5P/5C

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