



CRL OP(MD). No.1292 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Kathiravan
2.Chermakani

... Petitioners / Accused Rank not known

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Nalattinpudhur Police Station,
Thoothukudi District.
(Crime No.11 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 11 of 2025 on the file of the respondent police.

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



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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 296(b), 115(2), 133, 303(2) of BNS 2023, in Crime No.11 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the parties and the accused persons are said to have trespassed into the house of the defacto complainant and assaulted the defacto complainant and the family members and had stolen the gold chain.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the previous enmity between the parties and taking note of the fact that there is already a pending investigation in Crime No.10 of 2025 based on the complaint given against the defacto complainant and his family members and taking note of the fact that there is one previous case against the first petitioner and three



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previous cases against the second petitioner, this Court is inclined to grant interim anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Kovilpatti, Thoothukudi District, on condition that the petitioners 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioners shall report before the respondent police as and when required for interrogation.



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

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

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

sd/-
23/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN



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TO COPY

- 1 THE JUDICIAL MAGISTRATE NO.I
KOVILPATTI, THOOTHUKUDI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
NALATTINPUDHUR POLICE STATION,
THOOTHUKUDI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.DINESH, Advocate (SR-849[I] dated 24/01/2025)

ORDER
IN
CRL OP(MD) No.1292 of 2025
Date :23/01/2025

SS/SKN/SAR- /05/02/2025/ 5P/6C

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