



CRL OP(MD). No.2070 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.2070 of 2025

Dhamodaran,
S/o. Baskaran,
Sethupathi Nagar,
Pulithikulam,
Mudhukulathur Taluk,
Ramanathapuram District..

... Petitioner/ Accused
Rank Not Known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Keelathuval Police Station,
Ramanathapuram District.
Crime No. 143/2024.

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandian, Advocate
for Mr.S. Ananthamurugan, Advocate.

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



CRL OP(MD). No.2070 of 2025

WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 143 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the respondent Police for offences under Sections 191(2), 191(3), 49 and 103 (2) of BNS, 2023 in Crime No.143 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the deceased and Accused No.1 and the deceased is said to have murdered one of the relatives of Accused No.1. Hence, as a retaliation, Accused No.1 along with the other accused persons attacked the deceased with deadly weapons and caused his death. There were ten accused persons originally and in the course of investigation, only eight accused persons were fixed. The petitioner has been arrayed as Accused No.8. The overt act attributed against the petitioner is that he also formed part of the conspiracy and he informed the other accused persons regarding the movement of the deceased after he signed and came out of the Police Station.

3. The petitioner had earlier filed an anticipatory bail petition in CrI.O.P.(MD). No.21036 of 2024 and the same was dismissed by this Court by an order dated

02.12.2024. This second anticipatory bail petition has been filed on the ground that all

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



CRL OP(MD). No.2070 of 2025

the accused persons were enlarged on bail and that the investigation has been completed and that there are no previous cases against the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that Accused Nos.1 to 6 were arrested in this case and later, they were enlarged on bail. He further submitted that the petitioner took active participation in the crime, since he was the one who informed the other accused persons about the movement of the deceased. He further submitted that custodial interrogation is required in this case in order to properly ascertain the role played by the petitioner and hence, the learned Additional Public Prosecutor vehemently opposed the grant of anticipatory bail to the petitioner. He further submitted that the investigation has almost been completed.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation is almost complete and the co-accused persons have been released on bail and the respondent Police did not deem it fit to arrest the petitioner even after the earlier anticipatory bail petition was dismissed by this Court by an order dated 02.12.2024 and the investigation has been completed and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in



CRL OP(MD). No.2070 of 2025

WEB COPY

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, Mudhukulathur, 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:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

[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;

1 [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]; and;



CRL OP(MD). No.2070 of 2025

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

WEB COPY

sd/-
31/01/2025
/ TRUE COPY /

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

TSG
TO

1 THE JUDICIAL MAGISTRATE,
MUDHUKULATHUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
KEELATHUVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.S.ANANTHAMURUGAN, Advocate (SR-1211[I] dated 31/01/2025)

ORDER
IN
CRL OP(MD) No.2070 of 2025
Date :31/01/2025

SA/SKN/SAR. /14.02.2025/5P/6C

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