



CRL OP(MD). No.2074 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.2074 of 2025

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Wrongly Mentioned as Doni in Fir,
S/o.Odilo,
No.1/42, Raja Street,
Manapad,
Thoothukudi District..

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
Crime No.2/2025..

... Respondent/Complainant

For Petitioner : Mr.Suriya Bagavandass.M,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.2074 of 2025

PRAYER:-

For Anticipatory Bail in Crime No.2 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who apprehends arrest at the hands of the respondent Police for offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS in Crime No.2 of 2025 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 parties. On the date of occurrence, Accused No.1 is said to have attacked the defacto complainant with aruval and abused him in filthy language. Accused Nos.2 and 3 are said to have attacked the neighbours with hands. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.2.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and



CRL OP(MD). No.2074 of 2025

considering the overt act attributed against the petitioner and also considering the fact that there are no previous cases against the petitioner and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. Accordingly, 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, Tiruchendur, Thoothukudi District, 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 as and when required for interrogation;

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



CRL OP(MD). No.2074 of 2025

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[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 in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

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

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
TIRUCHENDUR, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



CRL OP(MD). No.2074 of 2025

3 THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.2074 of 2025
Date :31/01/2025

SS/SKN/SAR- /14/02/2025/ 5P/5C

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