



CRL OP(MD)No.4933 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.4933 of 2025

Thangakrishnan

...Petitioner/ Accused No.1

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Eathamozhi Police Station,
Kanyakumari District.
(Crime No.23 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Srinivasaragavan
Advocate

For Respondent : Mr.M.Karunanithi
Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 471, 420, 294(b), 341 and 506(ii) of IPC, in Crime No.23 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.12.2024, when the informant/defacto complainant is in the office of Dharmapuram Village Panchayat, Accused No.2 came to the office and enquired about paying the house tax of his house to Mrs.Suba, who is the house tax collector in the office. After perusing the record of the office the said tax collector stated that there is no such house tax in the name of the accused/A2 and no permission get from the Panchayat Office to construct the house of Accused No.2. Immediately, Accused No.2 shows the receipt (No.D 92828) after verified the same number receipt was already given to one Mr.Rajalingam. When the defacto complainant questioned the second accused about the receipt, he said that the first accused had given the receipt and received the payment as per the receipt. Both the accused persons cheated the public by making false documents and also used the seal of the Panchayat. On 24.12.2024 at about 11.00 a.m. when the informant and one Latha Gopal, who is ward member of the Panchayat went to the temple of Siva Sudalaimadasamy at Puthenmuhilanvilai, she saw the accused and questioned about the incident, the accused persons abused her by using filthy language and threatened her and said that to defame the name of the President and wrongfully restrained her



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and also threatened her with dire consequences. Hence, a case has been registered.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the alleged offence. He never printed any bogus receipt book and collected the money from the villagers as alleged in the complaint. The complaint is devoid of material particulars to when and how the amount was collected. No amount of collection was mentioned in the FIR. The registration of FIR against this petitioner is clear abuse of process of law. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and falsely implicated in this case. He would further submit that the co-accused was already granted anticipatory bail on 21.03.2025 in Crl.M.P.No.1312 of 2025 by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil and hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submits that totally there are two accused in this case, in which the petitioner is arrayed as Accused No.1. The petitioner, along with other accused person, prepared the bogus receipt book and collected the house tax by using the tax collector's signature illegally and thereby, causing loss to the Panchayat. On 24.12.2024 at 11.00 a.m., when the same was questioned by the informant, the accused threatened her with dire consequences by using Aruval. Hence, he opposed to grant anticipatory



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bail to the petitioner.

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5. Considering the facts and circumstances of the case, and also considering the arguments advanced by both side and taking note of the fact that the second accused was already granted anticipatory bail before the learned Principal Sessions Judge, Nagercoil in Crl.M.P.No.1312 of 2025, dated 21.03.2025 and that as the date of registration of FIR is 06.02.2025, by this time most of the investigation might have been completed and also the fact that the evidence are based on records, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is 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 Judicial Magistrate Court No.III, Nagercoil, 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 Judicial Magistrate Court No.III, Nagercoil, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

- (a) 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



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their identity;

(b) the petitioner shall furnish his residential address and contact number to the the learned Judicial Magistrate No.III, Nagercoil. In the event of any change in his residential address, the petitioner shall report the same to the the learned Judicial Magistrate No.III, Nagercoil;

(c) the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
04/08/2025

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/2025

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

vsd
TO

1 The Judicial Magistrate No.III, Nagercoil.

2 The Inspector of Police, Eathamozhi Police Station,
Kanyakumari District.

3 The Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.SRINIVASARAGAVAN, Advocate (SR-8413[I] dated 05/08/2025)

ORDER
IN

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Date :04/08/2025

NBF/SAR- /25/08/2025/ 6P/5C

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