



CRL OP(MD) No.6416 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD). No.6416 of 2025

1.Mariyappan

2.Nallasivam

3.Muthu

4.Ponnaiya

... Petitioners / Accused Nos.1 to 4

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(In Crime No.43 of 2025)

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvel
Senior Counsel

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

For Intervenor : Mr.K.Dinesh



CRL OP(MD) No.6416 of 2025

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

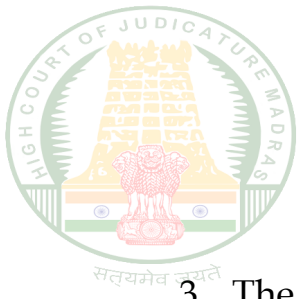
PRAYER :-

For Anticipatory Bail in Crime No.43 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 126(2), 296(b), 115(2), 324(2), 351(2) & 132 of BNS in Crime No.43 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Village Assistant of Pudupattinam Village. When the defacto complainant intend to reach his office at Pudupattinam via two-wheeler bearing registration No.TN-65-AM-9740, the petitioners came in two-wheeler and way laid the defacto complainant and damaged his mobile phone and attacked the defacto complainant by using wooden logs and also abused him with filthy language. Hence, the complaint.



CRL OP(MD) No.6416 of 2025

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3. The learned senior counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners 2 & 3 are having one previous case and that the injured has been discharged from the hospital.

5. The learned counsel appearing for the intervenor would submit that the petitioners earlier filed Crl.O.P.(MD)No.4086 of 2025 and the same was dismissed as withdrawn on 25.03.2025. Hence, he opposed to grant anticipatory bail to the petitioners.

6. The learned senior counsel appearing for the petitioners would submit that during pendency of this application, the first accused died on road accident.

7. In view of the submission made by the learned senior counsel appearing for the petitioners, this Criminal Original Petition is closed as far as the first petitioner is concerned.



CRL OP(MD) No.6416 of 2025

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8. Considering the facts and circumstances of this case and considering the fact that injured has been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions:

9. Accordingly, the petitioners 2 to 4 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 on which the order copy made ready, before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District, on condition that the petitioners 2 to 4 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 2 to 4 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.



CRL OP(MD) No.6416 of 2025

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[b] the petitioners 2 to 4 shall report before the respondent Police daily at 10.30 am until further orders.

[c] the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 to 4 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 petitioners 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD) No.6416 of 2025

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TO

- 1 THE JUDICIAL MAGISTRATE
THIRUVADANAI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.6416 of 2025
Date :08/05/2025

SS/SAR- /26/05/2025/ 6P/5C

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