



CRL OP(MD)No.8427 of 2025

WEB COPY 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.8427 of 2025

S.Kalyan
S/o.Sekar,
No.173, Nehru Road,
Sivakasi,
VTC Sivakasi,
Virudhunagar District.

... Petitioner

Vs

State of Tamil Nadu through
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

... Respondent

For Petitioner : Mr.E.Marees Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No.91 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 342, 506(ii) IPC r/w. 25 (1)(a) of Arms Act, in Crime No.91 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.03.2022 at about 7.00 p.m. the defacto complainant along with their friends were sitting nearby Janaki Hospital in Sivakasi and drinking the alcohol. The accused persons were also drinking in the said place. At that time, there was a wordy quarrel between the defacto complainant and accused persons. One Muthupandi, by showing an aruval, threatened the defacto complainant with dire consequences and abused him in filthy language and also attacked him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Only based on the confession statement of the co-accused, the petitioner has been implicated in this case. Hence, he prays to grant anticipatory



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bail to the petitioner.

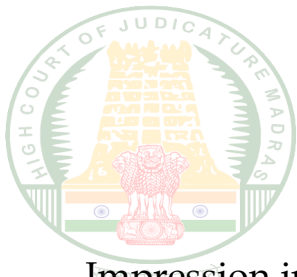
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4. The learned Additional Public Prosecutor submits that due to previous enmity, both the parties attacked themselves. He further submits that it a case and counter case. In this case, there are totally 10 accused and A2, A3 and A4 were arrested and released on bail. A1 has been granted anticipatory bail. He further submits that the petitioner is having two previous cases, out of which, one case is 302 IPC offence. Therefore, he opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegations and also considering the fact that it is a case and counter case and the co-accused persons were released on bail, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Sivakasi, 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 learned Magistrate concerned, 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



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Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar
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card or Bank Pass Book to ensure their identity.

[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.

[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/-
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.



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TO
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1. THE JUDICIAL MAGISTRATE NO.I,
SIVAKASI
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-5398[I] dated 08/05/2025)

ORDER
IN
CRL OP(MD) No.8427 of 2025
Date :08/05/2025

HPS/28.05.2025 /5P/6C

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