



CRL OP(MD)No.8577 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.8577 of 2025

1.Justus

2.Jeno Fenz

... Petitioners

Vs

The State of Tamil Nadu,
Represented by Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.
(Crime No.157 of 2025)

... Respondent

For Petitioners : Mr.M.Dhinesh Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 157 of 2025 on the file of the respondent police.



CRL OP(MD)No.8577 of 2025

ORDER: The Court made the following order :-

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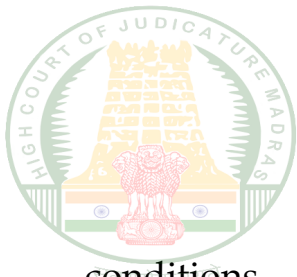
The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 329(3), 296(b), 351(2) of BNS and 4 of TNPHW Act in Crime No.157 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are having property dispute. On 19.04.2025 at about 06.10 AM, the petitioners trespassed into the defacto complainant's home and humiliated the defacto complainant and also threatened the life of her. Hence, the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He therefore prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioners entered into the land and abused the defacto complainant by pulling her hair. The defacto complainant was injured and then discharged from the hospital.

5. Considering the facts and circumstances that the injured person has been discharged and also considering the nature of the dispute between the parties, this Court is inclined to enlarge the petitioners on anticipatory bail with certain



CRL OP(MD)No.8577 of 2025

conditions.

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6. Accordingly, the petition is allowed and the petitioners 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 Court No.1, Kuzhithurai, Kanyakumari District., on condition that the petitioners 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:

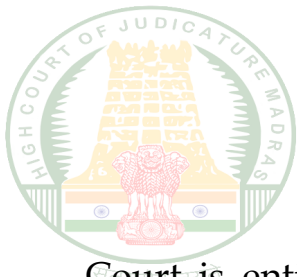
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD)No.8577 of 2025

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Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

/ TRUE COPY /

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

Tmg

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.

3.The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.

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

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



CRL OP(MD)No.8577 of 2025

WEB COPY +1 CC to M/s.M.DHINESHKUMAR, Advocate (SR-5336[I] dated 08/05/2025)

ORDER

IN

CRL OP(MD) No.8577 of 2025

Date :08/05/2025

MK/SAR /09.05.2025 5P/6C

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