



CRL OP(MD)No.8550 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.8550 of 2025

D.Sethu @ Sethu

... Petitioner

Vs

The Inspector of Police,
Thevaram Police Station,
Theni District.
(In Crime No.222 of 2024)

... Respondent

For Petitioner : Mr.A.Arputharaj

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.222 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused No.8, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 191(2), 126(2), 296(b), 115(2), 118(1) and 109 BNS in Cr.No.222 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was previous enmity between the defacto-complainant and the accused persons. On 27.12.2024, when the defacto-complainant participated in the temple festival, at that time, the accused persons came to the spot and abused him with filthy languages and attacked the defacto-complainant with stones, wooden logs and knife and threatened him with dire consequences and escaped from the spot. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner did not involved in any of the offences as alleged by the prosecution. The petitioner is an innocent and he is falsely implicated in this case. Due to previous enmity between the defacto-complainant and the accused persons, the said occurrence was



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happened. The petitioner was arrayed as Accused No.8. In this case, on 18.01.2025, the injured persons were discharged from hospital.

4. The learned Additional Public Prosecutor appearing for the respondent police on instructions, would submit that due to previous enmity between the defacto-complainant and the accused persons, the alleged occurrence was happened. The petitioner was arrayed as Accused No.8. The injured persons were admitted in hospital and later on 18.01.2025 they were discharged from hospital. Investigation is still pending. In this case, Accused No.1 was arrested and remanded to judicial custody and subsequently he released on bail and other co-accused i.e., Accused Nos.3,5 and 10 were also got anticipatory bail before this Court.

5. Considering the fact that the petitioner was only arrayed as Accused No.8, the other accused in this case have got bail and they were released, on 18.01.2025, the injured persons were discharged from hospital, 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



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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, Bodinayakkanr, Theni 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 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 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 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.

[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 petitioners released on bail by



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the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme
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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.

GVN
TO

1.THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR, THENI DISTRICT.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3.THE INSPECTOR OF POLICE,
THEVARAM POLICE STATION,
THENI DISTRICT.

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

+1. CC to A.ARPUTHARAJ Advocate SR.No.30604 (F) dated 08/05/2025



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ORDER
IN
CRL OP(MD) No.8550 of 2025
Date :08/05/2025

HPS/29.05.2025 /6P/6C

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