



CRL OP(MD)No.8587 of 2025

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.8587 of 2025

A.Utchimahali

... Petitioner/ accused No.2

Vs

State rep. by
The Inspector of Police,
Manur Police Station,
Tirunelveli District,
(In Crime No.331 of 2025)

... Respondent / complainant

For Petitioner : Mr.S.Selvakrishnan

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.331 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 126(2), 296(b), 115(2),



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351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of TNPHW Act in
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Crime No.331 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours. The accused went to the house of the defacto complainant for his daughter's birthday and took photographs. Later, on 08.04.2025, the accused persons intercepted the defacto complainant and his daughter in public and abused them with filthy language. The petitioner herein / accused no.2, threatened the defacto complainant that he will upload his daughter's photographs my morphing. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Regarding the same issue, a counter case has been registered against the defacto complainant in Crime No.336 of 2025 before the same respondent police. Accused Nos.1 and 3 were arrested and released.

4. Learned Government Advocate (Crl side) would submit that the accused persons intercepted the defacto complainant and abused him and his daughter. They also attacked his daughter in chest and stomach. The second accused threatened that he will upload the morphing photographs of the defacto complainant's daughter in social media. A counter case has also been registered



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against the defacto complainant. However, he prays to dismiss this Criminal

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Original Petition.

5. Considering the nature of the allegations and considering the fact that the counter case is also registered against the defacto complainant before the respondent police, 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 Judicial Magistrate No.V, Tirunelveli, 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 daily at 10.30a.m. until further orders.



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[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 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].

[g] 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 (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

1.THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

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2.THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

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3.THE INSPECTOR OF POLICE, MANUR POLICE STATION,
TIRUNELVELI DISTRICT,

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

+1. CC to S. SELVAKRISHNAN Advocate SR.No.5367(I)DT.08/05/2025

ORDER IN
CRL OP(MD) No.8587 of 2025
Date :08/05/2025

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