



CRL OP(MD)No.8611 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14.05.2025

PRESENT

The HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP(MD)No.8611 of 2025

1.Mariselvan @ Pattu Mariselvam
2.Muthukumar

... Petitioners/
Accused No.2 & 3

Vs

The State of Tamil Nadu represented by
The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.
(Crime No.110 of 2025)

... Respondent/
Complainant

For Petitioners: Mr.R.Pon Karthikeyan

For Respondent : Mr.S.Prakash

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD)No.8611 of 2025

PRAYER :-

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For Anticipatory Bail in Cr.No.110 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 296(b), 132, 351(3) of BNS r/w. 4A (1a) of TN Open Places (Prevention of Disfigurement) Act, 1959, in Crime No.110 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners allegedly pasted a wall poster on a Government building. On seeing the same, the defacto complainant raised an objection, for which the petitioners have threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that there is one previous case pending against the second petitioner and there is no previous case pending against the first petitioner.

5. Considering the nature of allegation in this case and also considering the antecedents of the petitioners, this Court is inclined to grant anticipatory bail to the



CRL OP(MD)No.8611 of 2025

petitioners with certain conditions.

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6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Sathankulam, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/-(Rupees Fifteen Thousand only)each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 am for a period of two weeks;

(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 Court is entitled to take appropriate action against the petitioners in accordance



CRL OP(MD)No.8611 of 2025

with law as if the conditions have been imposed and the petitioners released on bail
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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]; and;

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section
269 of BNS 2023.

sd/-
14/05/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1. THE JUDICIAL MAGISTRATE COURT,
SATHANKULAM.

2.THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION,
THOOTHUKUDI DISTRICT.



CRL OP(MD)No.8611 of 2025

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

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-5552[I] dated 15/05/2025)

ORDER
IN
CRL OP(MD) No.8611 of 2025
Date :14/05/2025

PR/03.06 .2025 5P/6C

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