



CRL OP(MD). No.8631 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14-05-2025

PRESENT

THE HON`BLE MR.JUSTICE K. RAJASEKAR

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Shanmugavel

... Petitioner / Accused rank not known

Vs

The State of Tamilnadu, rep., by its
The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.123 of 2025)

... Respondent/Complainant

For Petitioner : Mr.P.Mani Anandh

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2025 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioner/ Accused rank not known, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 115(2) and 351(3) of BNS Act in Crime No.123 of 2025 seeks anticipatory bail.

2.The allegation against the petitioner is that due to property dispute, the petitioner joined hands with other accused, attacked the defacto complainant, caused injuries and attempt to commit murder. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that though the petitioner is the relative of the defacto complainant, his name is not mentioned in the FIR and he was not at all implicated in the FIR by the defacto complainant. However, based on the subsequent statement, he has been falsely implicated in this case. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police reported that the defacto complainant has not stated the petitioner's name while lodging the FIR. However, investigation revealed that the petitioner is also involved in the offence causing injuries to the defacto complainant by kicking him. Hence, he strongly opposed for granting anticipatory bail to the petitioner.



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5.Considering the overt act and also the nature of the offence and also the fact that the petitioner's name was not initially mentioned in the FIR, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Mudukulathur, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Fifteen Thousand Rupees only) 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 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 10.30 am for a period of fifteen days;

(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;



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सत्यमेव ज (e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial
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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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

14/05/2025

// True Copy //

/05/2025

Sub Assistant Registrar

(CS-I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai.

abr/pnn

To

1.The Judicial Magistrate Court,
Mudukulathur.

2.Do Through
The Chief Judicial Magistrate,
Ramanathapuram.



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3.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.

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

+1 CC to M/s.P.MANI ANANDH, Advocate (SR-5535[I] dated 14/05/2025)

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KVL - (27.05.2025) 5P/ 6C

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