



CRL OP(MD).No.8745 of 2025

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

Date : 24.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Joshua

... Petitioner / Accused No.2

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
(Crime No.153 of 2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.153 of
2025 on the file of the respondent police.

For Petitioner : Mr.D.Selvanayagam,
Advocate

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



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ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 127(2), 296(b), 351(3), 75(I)(i) of the BNS, 2023, in Crime No.153 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 06.05.2025, the petitioner/accused, along with another accused, wrongfully confined the defacto complainant, used filthy language against her with the intention to outrage her modesty, and also threatened her life. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that co-accused has been granted bail by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that there



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are totally two accused persons in this case and the petitioner has been arrayed as
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A2. He would further submit that there are no previous cases against the petitioner.

He would also submit that no injury was caused by the accused persons. However, he opposes the grant of anticipatory bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the nature of the offence allegedly committed by the petitioner and also taking note of the fact that the co-accused person has already been granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srivaikundam, Thoothukudi 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Srivaikundam,



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Thoothukudi District and on further conditions that:

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(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 furnish his residential address and mobile number to the learned Judicial Magistrate, Srivaikundam, Thoothukudi District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

(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



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Court is entitled to take appropriate action against the petitioner in accordance with
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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].

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

8. In the result, this Criminal Original Petition is allowed subject to the
conditions stated supra.

sd/-
24/06/2025

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/07/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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- 1.THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-6728[I] dated 25/06/2025)

ORDER
IN
CRL OP(MD) No.8745 of 2025
Date :24/06/2025

PR/10.07 .2025 6P/6C

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