



CRL OP(MD)No.8766 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.05.2025

PRESENT

The HONOURABLE MR.JUSTICE K.RAJASEKAR

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1. Abdul Nizar
2. Mohamed Yousuf
3. Biyas Rahuman

... Petitioners/ Accused No.2 to 4

Vs

The State of Tamil Nadu represented by
The Sub-Inspector of Police,
Mimisal Police Station,
Mimisal, Pudukottai District.
(Crime No.63 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.K.Vijayaragavan

For Respondent : Mr.M.Karunanithi

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Cr.No.63 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), 115(2), 351(3), 118(1) and 238 of BNS, in Crime No.63 2025, seek anticipatory bail.

2. The case of the prosecution is that due to a property dispute between the parties, the petitioners are said to have abused the defacto complainant in filthy language and also assaulted him with a wooden log and caused injuries. 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 the injured has been discharged from the hospital and that there are no previous cases pending against the petitioners.

5. Considering the fact that there are no previous antecedents as against the petitioners and also considering the fact that the injured was discharged from the



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hospital, this Court is inclined to grant anticipatory bail to the 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 No.I, Manamelkudi, 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;



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सत्यमेव जयते (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 petitioners 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]; and;

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

sd/-
14/05/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
MANAMELKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.
3. The Sub-Inspector of Police,
Mimisal Police Station,
Mimisal, Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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WEB COPY +1 CC to M/s.V.K.VIJAYARAGAVAN, Advocate (SR-5541[I] dated 14/05/2025)

ORDER
IN
CRL OP(MD) No.8766 of 2025
Date :14/05/2025

MK/SAR /16.05.2025 5P/6C

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