



CRL OP(MD). No.8860 of 2025

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

Date : 14.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Selva Sivakaran @ Sivakaran

2.Antony

... Petitioners/
Accused 1&2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No.298 of 2025)

... Respondent/
Complainant

For Petitioners : Mr.K.Sivabalan,
Advocate
for M/s.Aran Legal Consultancy

For Respondent : Mr.S.Prakash,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.



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PRAYER :-

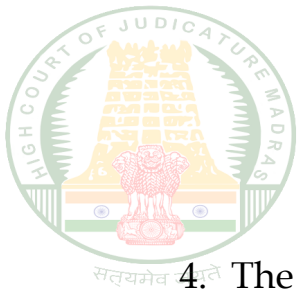
For Anticipatory Bail in Crime No.298 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 351(3) BNS, 2023 and Section 25(1)(a) of Arms Act, 1959 in Crime No.298 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 11.05.2025, the petitioners along with other accused had abused the defacto complainant in filthy language and also threatened him by using sword. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He would further submit that the petitioners are no way connected with the case, a false case has been lodged as against the petitioners and that the petitioners are ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 3 accused, the petitioners arrayed as A1 & A2, that the accused had abused and threatened the defacto complainant, that no one was injured in the incident and that the property was recovered by the respondent police. He would further submit that the third accused was already arrested and released on bail by the Vacation Sessions Judge, Tenkasi in Cr.M.P.No.1304 of 2025 vide order dated 27.05.2025. He would further submit that the first petitioner is having four previous cases and the second petitioner is not having any previous cases. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the facts that the third accused was already arrested and released on bail and that the property has already been recovered and taking note of the fact that most of the investigation might have been completed by this time, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days



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from the date of receipt of a copy of this order, before the Judicial Magistrate, Alangulam on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 Judicial Magistrate, Alangulam 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 furnish their residential address and contact number to the learned Judicial Magistrate, Alangulam. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Alangulam;

(c) the petitioners shall report before the respondent police daily two times at 10.00 a.m. and 05.00 p.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 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;

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

sd/-
14/07/2025

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/08/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

TO

1. The Judicial Magistrate,
Alangulam.
2. Do through the Chief Judicial Magistrate,
Tenkasi District.
3. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.



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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-7491[I] dated 14/07/2025)

ORDER
IN
CRL OP(MD) No.8860 of 2025
Date :14/07/2025

PS/SAR.05.08.2025 6P/6C

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