



CRL OP(MD). No.8887 of 2025

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

Date : 13/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8887 of 2025

S.Mohammed Kamal,
S/o.Sulthan Abdul Kadar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Crime No.264 of 2009)

... Respondent/Complainant

For Petitioner : Mr.M.Mujibur Rahman,
Advocate

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

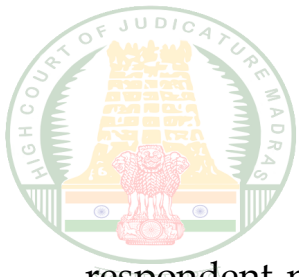
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.264 of 2009 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the



CRL OP(MD). No.8887 of 2025

WEB COPY

respondent police for the offences punishable under Sections 294(b), 341, 365, 343, 342 and 506(ii) of IPC in Crime No.264 of 2009 on the file of the respondent police, seeks anticipatory bail.

2. The petitioner is now apprehending arrest pursuant to the Non-Bailable Warrant (NBW) issued against him on 03.12.2020 in C.C.No.131 of 2016 on the file of the learned Judicial Magistrate No.II, Kumbakonam.

3. The learned counsel for the petitioner submitted that the petitioner was not aware of the pendency of the Calendar Case. As he was unable to appear before the trial Court, a Non-Bailable Warrant (NBW) was issued against him. The next date of hearing of the case is 31.07.2025. He further submitted that there are totally three accused persons in this case, and other two accused have already been acquitted in C.C.No.74 of 2010. The petitioner is an innocent person. He, however, submits that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that this is the case of the year 2009. There are totally three accused persons in this case and two of them have already been acquitted in C.C.No.74 of 2010. This is a split-up case. A Non-Bailable Warrant has been issued against the petitioner on 03.12.2020 in C.C. No.131 of 2016 on the file of the learned Judicial Magistrate No.II, Kumbakonam.



CRL OP(MD). No.8887 of 2025

Hence, he opposed to grant anticipatory bail to the petitioner.

WEB COPY

5. Considering the facts and circumstances of the case, and taking into account of the fact that the co-accused were already acquitted in C.C.No.74 of 2010, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 No.II, Kumbakonam, Thanjavur 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 No.II, Kumbakonam, Thanjavur District 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 furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District. In the event of any change in his residential address, the petitioner shall report the same to the



CRL OP(MD). No.8887 of 2025

learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District;

WEB COPY

(c) the petitioner shall appear before the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District on all working days 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 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;

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

sd/-
13/06/2025

/ TRUE COPY /

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



CRL OP(MD). No.8887 of 2025

WEB COPY
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.

2 DO TRHOUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT.

3 THE INSPECTOR OF POLICE,
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.M.MUJIBUR RAHMAN Advocate SR.No.34074 (I) DT.13/06/2025

ORDER

IN

CRL OP(MD) No.8887 of 2025

Date :13/06/2025

NM/24.06.2025 5P/6C

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