



CRL OP(MD)No.9033 of 2025

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

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD)No.9033 of 2025

1.K.Prakash

2.K.Prabakharan

... Petitioners/ A1 & A2

Vs

State of Tamil Nadu rep.by
The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
(Crime No.59 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.S.Pandian

For Respondent : Mr.K.Gnanasekaran,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.59 of 2025 on the file of the Respondent police.



CRL OP(MD)No.9033 of 2025

ORDER : The Court made the following order :-

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The petitioners/accused 1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, in Crime No.59 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running Brick Kiln in the name and style of SRM Chambers at Poovilathur Kanmoi. For his avocation purpose, he owns one JCB and tractor with trailer. On 19.04.2025 at about 11.30 pm, the defacto complainant's father-in-law found that three unidentified persons have taken away the tractor. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the property was recovered and the third accused was already arrested and released on bail.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the property was recovered and the third accused already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD)No.9033 of 2025

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 learned Magistrate concerned and on further conditions that:

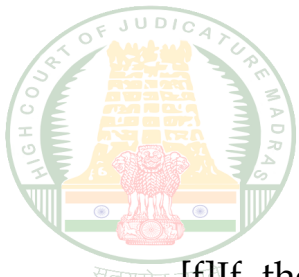
[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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].



CRL OP(MD)No.9033 of 2025

[f]If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 BNS, 2023.

sd/-
21/05/2025

/ TRUE COPY /

/06/2025

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

DAS
TO

1.THE JUDICIAL MAGISTRATE, PARAMAKUDI.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3.THE INSPECTOR OF POLICE,
CHATHIRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-5612[I] dated 22/05/2025)

ORDER
IN

CRL OP(MD) No.9033 of 2025
Date :21/05/2025

HPS/04.06.2025 /4P/6C

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