



CRL OP(MD). No.9110 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS. JUSTICE R.POORNIMA

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1. Suriya @ Jaya Surya

2. Sudha.

... Petitioners/ Accused

Vs

State of Tamilnadu
Rep. by the Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No. 151 of 2025).

... Respondent/ Complainant

For Petitioners : Mr. S. Subash Chandar,
Advocate.

For Respondent : Mr.E.Anotny Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 151 of 2025 on the file of the respondent Police.



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WEB COPY ORDER: The Court made the following order :-

The petitioners/A1 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 118(1), 109(1) & 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.151 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner on the date of occurrence attacked the defacto complainant with sickle and also attacked his wife with an intention to outrage her modesty. Hence, the case.

3. The learned counsel for the petitioners submitted that there is a case in counter and already the petitioners filed a case in Crime No.150 of 2025 for committing murder by the defacto complainant and by suppressing the same, the defacto complainant filed this case against the petitioners. Hence, he prayed to allow this petition.

4. The learned Additional Public Prosecutor for the respondent police also admitted that there is a case in counter and submitted that in the present case, all the injured were discharged from the hospital.

5. Taking into consideration the facts and circumstances of the case and also considering the substance of the case, this Court is inclined to grant anticipatory bail



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to the petitioners subject to the certain conditions.

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6. Accordingly, the petitioners are ordered to be released on anticipatory 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, Uthamapalayam, Theni, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent police for a period of 30 days and as and when required for interrogation;

[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;

[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 released on bail



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme
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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/-
28/05/2025

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

APD

TO

1 THE JUDICIAL MAGISTRATE
UTHAMAPALAYAM, THENI

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3. The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

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

+1 CC to M/s.S.VIDHYASAGAR, Advocate (SR-5796[I] dated 28/05/2025)



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ORDER
IN
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Date :28/05/2025

MK/04.06.2025 5P/6C

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