



CRL OP(MD). No.9407 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2025

PRESENT

THE HONOURABLE MS. JUSTICE R.N.MANJULA

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Eswaramoorthy ,
S/o.Murugan,
36T, V K K Nagar, 7th Street,
Bodinayaknur,
Theni,
Now residing at
9, CKS Illam, Manikavasakar Street,
Nalvar lowout, Rathinapuri,
Coimbatore-641 027.

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kurangani Police Station,
Theni District.
(Cr.No.14 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.S.Ayyanar Premkumar
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.14 of 2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 191(2), 191(3), 329(3), 296(b) 324(1), 351(3), 303(2) of BNS, 2023 in Crime No.14 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is due to property dispute between the petitioner and the defacto-complainant, on 29.03.2025, at about 8.30a.m., the petitioner along with other accused persons trespassed into the property of the defacto-complainant and threatened him by showing deadly weapon and damaged and stolen the CCTV camera. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. A false case has been foisted against the petitioner. This petitioner is ready and willing to abide by any conditions that may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl side) would submit that the petitioner has entered into the property of the defacto-complainant and threatened him with dire consequences. Further, the petitioner damaged the CCTV cameras, which are worth about Rs.30,000/-. There is one counter case pending before the



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respondent police. Further, he submitted that the petitioner is having three previous cases. Hence, he objected to grant anticipatory bail to the petitioner.

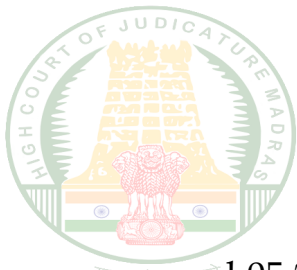
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5. Taking into consideration of the facts and circumstances of the case and also the fact that already this petitioner file anticipatory bail application and the same was dismissed by this Court, the petitioner undertakes to abide by any stringent conditions imposed by the Court and this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Bodi, Theni 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 report before the respondent police daily twice at 10.30



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a.m., and 05.30p.m. until further orders;

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(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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;

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

sd/-
06/06/2025

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

GVN
TO
1 THE JUDICIAL MAGISTRATE,
BODI, THENI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.



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3 THE INSPECTOR OF POLICE,
KURANGANI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-6064[I] dated 09/06/2025
)

ORDER
IN
CRL OP(MD) No.9407 of 2025
Date :06/06/2025

SA/SAR. /11.06.2025/5P/5C

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