

Crl.O.P.(MD).No.9435

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

Date : 13/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). Nos.9435 & 9440 of 2025

1.Rajesh @ Rajesh Kumar

2.Ajith Kumar

... Petitioners in Crl.O.P.(MD).No.9435 of 2025 / A2 & A3

Selva Kumar

... Petitioner in Crl.O.P.(MD).No.9440 of 2025 / A1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
M.Kallupatti Police Station,
Madurai District.
Crime No.22 of 2025

... Respondent/Complainant

in both petitions

For Petitioners : Mr.T.Palanisamy,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



COMMON PRAYER :-

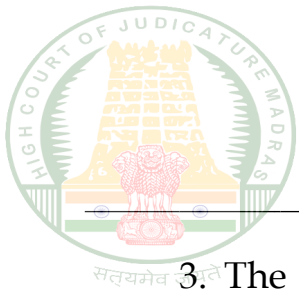
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For Anticipatory Bail in Crime No.22 of 2025 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 191(2), 191(3), 126(1), 296(b), 324(4), 115(2), 118(1), 140, 132 and 351(3) of BNS, 2023 in Crime No.22 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as the Panchayat Secretary in the Mallapuram Panchayat. Due to previous enmity, on 13.03.2025, at about 02.00 p.m., while the defacto complainant went to Sedapatti Panchayat in his two-wheeler for attending his official duty, at that time, the accused persons restrained him and abused him in filthy language. At that time, A1 assaulted the defacto complainant with hands. Thereafter, the accused persons kidnapped the defacto complainant in their two-wheeler and assaulted him by using sickle and wooden logs. On the instigation of A5, the other accused persons assaulted the defacto complainant. Further, A5 threatened the defacto complainant over phone to resign his job. Hence, the complaint.



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3. The learned counsel for the petitioners submitted that this is the second anticipatory bail before this Court. The petitioners have not committed any offence as alleged by the prosecution, and a false case has been foisted against the petitioners. He further submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the injured has been discharged on 27.03.2025. Insofar as A1 is concerned, there are three previous cases against him; in the case of A2, there are six previous cases; and in the case of A3, there are five previous cases. He further submitted that A4 has been arrested and subsequently released on bail, and A5 has been granted anticipatory bail by this Court. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the fact that as the date of occurrence is 13.03.2025, by this time most of the investigation would likely have been completed, and considering the fact that A4 has been arrested and subsequently released on bail



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and A5 has been granted anticipatory bail by this Court, and also considering the fact that the injured has been discharged from the hospital, 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 bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.II, Usilampatti, Madurai District, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate Court No.II, Usilampatti, Madurai District, failing which, the petitions for anticipatory bail shall stand dismissed and on further condition 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 mobile number to the learned Judicial Magistrate Court No.II, Usilampatti, Madurai District. In the event of any change in their residential address, the petitioners shall report the same



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to the learned Judicial Magistrate Court No.II, Usilampatti, Madurai District;

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(c) the petitioners shall report before the respondent police daily twice i.e. at 10.30 a.m. and 05.30 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 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;

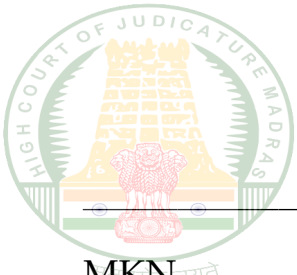
(g) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
13/06/2025

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



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TO

1.THE JUDICIAL MAGISTRATE COURT NO.II,
USILAMPATTI, MADURAI DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
M.KALLUPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.T.PALANISAMY, Advocate (SR-6309[I] dated 13/06/2025)

+1 CC to M/s.T.PALANISAMY, Advocate (SR-6308[I] dated 13/06/2025)

ORDER IN
CRL OP(MD). Nos.9435 & 9440 of 2025
Date :13/06/2025

PR/24.06 .2025 6P/7C

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