



CRL OP(MD).No.9328 of 2025

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

Date : 19.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9328 of 2025

Suresh

... Petitioner / Accused
Rank Not Known

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
(Crime No.133 of 2024)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.133 of
2024 on the file of the respondent police.

For Petitioner : Mr.D.Rajaboopathy,
Advocate

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

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis>



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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 291, 353, and 283 of IPC and Section 8B of the National Highways Act, 1956 were altered to Sections 143, 147, 149, 283, 291, 294(b), and 353 of IPC, along with Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, and Section 8B of the National Highways Act, 1956, in Crime No.133 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between two communities, and a person belonging to the petitioner's community was allegedly murdered by members of the other community. During the funeral procession of the said deceased, the petitioner, along with other accused persons, allegedly assembled with deadly weapons and caused damage to public property. When the defacto complainant questioned their actions, the petitioner and the other accused are said to have threatened him with dire consequences. Based on the complaint lodged by the defacto complainant, the present FIR came to be registered by the respondent police. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the



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petitioner. He would further submit that there are no previous cases against the petitioner. He would further submit that A3 was granted bail by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that there are totally twenty five accused persons in this case and the petitioner has been arrayed as A2. He would further submit that the petitioner, along with the other accused persons, assembled with deadly weapons and caused damage to public property. When the defacto complainant questioned their actions, the petitioner and the other accused persons are criminally intimidated him by threatening with dire consequences. He would also submit that there are no previous cases against the petitioner. He would also submit that the investigation is almost complete, and he opposes the grant of anticipatory bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the nature of the offence allegedly committed by the petitioner, the fact that the co-accused has already been granted bail, and also taking note that the alleged weapons have already been recovered, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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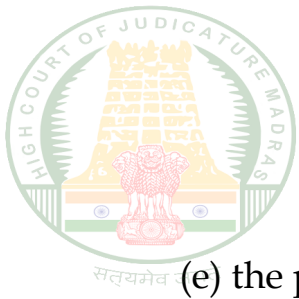
7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, Tirunelveli District on condition that the petitioner 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, Nanguneri, Tirunelveli 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, Nanguneri, Tirunelveli District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Nanguneri, Tirunelveli District.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial.



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(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]*.

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

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
19/06/2025

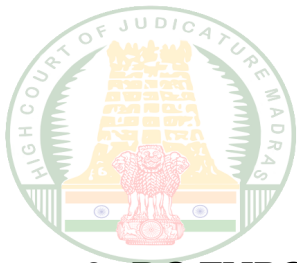
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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1 THE JUDICIAL MAGISTRATE,
NANGUNERI,
TIRUNELVELI DISTRICT.



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2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.9328 of 2025
Date :19/06/2025

NM/04.07.2025/ 6P/5C

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