



CRL OP(MD). No.9340 of 2025

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

Date : 05/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Palanichamy
2. Babu
3. Priya

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No.239 of 2025.

... Respondent/Complainant

For Petitioner : Mr. B.Arun
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.239 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 petitioners / accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 296(b), 115(2), 351(2) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.239 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who is a building Contractor, has failed to pay the coolie to the petitioners and there was a wordy quarrel arose between them and that the petitioners herein are said to have attacked the defacto complainant and also abused him in filthy languages. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case and he prays for granting anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there is no previous case pending against the petitioners and the injured has already been discharged from the hospital. He further contended that the investigation of the case is pending and hence, he opposed to grant anticipatory bail to the petitioners.



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5. Taking into consideration the facts and circumstances of the case and that the injured has already been discharged from the hospital and also the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

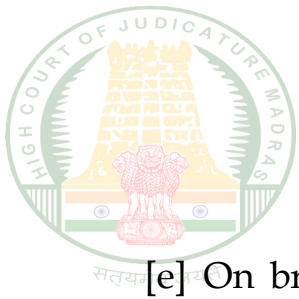
6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Periyakulam, on condition that the petitioners shall execute a bond 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 appear before the respondent police daily at 10.30 a.m., until further orders;

[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.



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[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 is 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].

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

sd/-
05/06/2025

/ TRUE COPY /

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

TRP
TO

1. The Judicial Magistrate, Periyakulam,
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Inspector of Police,
Thenkarai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.B.ARUN, Advocate (SR-6013[I] dated 06/06/2025)



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ORDER

IN

CRL OP(MD) No.9340 of 2025

Date :05/06/2025

HPS/13.06.2025 /5P/6C

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