



CRL OP(MD). No.9380 of 2025

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

Date : 18/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9380 of 2025

Vinothkumar Gabriel G
S/o.Gnanaraj

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Crime No.258 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Mathava Selvam,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.258 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/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) and 49 of BNS, 2023 r/w. Section 3 of TNPPDL Act in Crime No.258 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that while the de-facto complainant was riding his two-wheeler, the petitioner and other accused persons intercepted him, pushed him off his bike, and brutally attacked him using a sickle, thereby causing injuries. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person, and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner's name has not been found in the F.I.R. However, the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A3 in this case. A2 was arrested and subsequently released on bail on 05.06.2025 by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.1996 of 2025. The injured person sustained head injury and was discharged from the hospital on 22.05.2025. He further submitted that the weapon



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has not yet been recovered, and the case is still under investigation. Hence, he
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opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the fact that there is no specific overt act against the petitioner, and that the injured has already been discharged from the hospital, and that the one of the co-accused was arrested and subsequently released on bail, this Court is not inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 No.II, Srivaigundam 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 No.II, Srivaigundam 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



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the learned Judicial Magistrate No.II, Srivaigundam. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Srivaigundam;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(e) the petitioner shall not abscond either during investigation or trial;

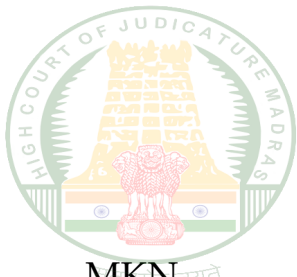
(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

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

sd/-
18/06/2025

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



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TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SRIVAIGUNDAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ERAI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9380 of 2025
Date :18/06/2025

NM/03.07.2025/ 5P/5C

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