



CRL OP(MD). No.9504 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Aahkash,
S/o.Mohanathan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Palanichettipatti Police Station,
Theni District.
(Crime No.433 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.R.Manojkumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.433 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(2) and 351(3) of BNS, 2023 r/w. Section 4 of TNPHW Act, 2002 in Crime No.433 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.10.2024, when the de-facto complainant and his wife were standing in front of their house, the accused persons arrived there and inquired about one Arun, who was a tenant in the de-facto complainant's house. Since the de-facto complainant and his wife did not provide any information, the accused persons abused them in filthy language, attacked them with sickle, caused grievous injuries to them and threatened them with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that this is the second application for anticipatory bail before this Court. The petitioner did not commit any offence as alleged by the prosecution and has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are two accused persons in this case and the petitioner has been arrayed as A2. A1 has



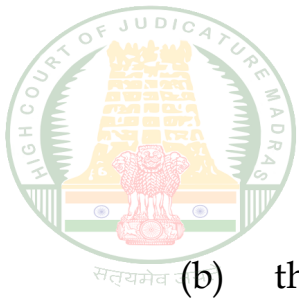
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been arrested and subsequently released on bail. There is no previous case against the petitioner. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking into account of the fact that co-accused has been arrested and released on bail, and also considering the fact as the date of occurrence is 22.10.2024, by this time most of the investigation would likely have been completed, this Court is 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 Judicial Magistrate, Additional Mahila, 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 to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate, Additional Mahila, Theni 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;



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(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Additional Mahila Court, Theni. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Additional Mahila Court, Theni;

(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/-
09/06/2025

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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,
ADDITIONAL MAHILA COURT,
THENI.

2 THE CHIEF JUDICIAL MAGISTRATE,
THENI.

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

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

ORDER

IN

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Date :09/06/2025

NM/13.06.2025 5P/5C

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