



CRL OP(MD).No.9856 of 2025

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

Date : 16/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9856 of 2025

1. P.Santhiya (F/33/2025)

W/o.Pandi,
127/D, Manthaiyamma Kovil North Street,
Vadapudhupatti,
Theni Taluk,
Theni District – 625 531.

2. Pandi, (M/54/2025)

S/o.Mokkasamy,
120, Power House Street,
Theni Taluk,
Theni District – 625 531.

.. Petitioners/Accused Nos.2 and 3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No.109 of 2025)

.. Respondent/Complainant



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For Petitioners : Mr.R.Shankar Ganesh,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

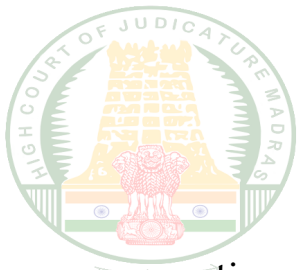
For Anticipatory Bail in Crime No.109 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(3) of BNS Act, 2023 r/w 4 of TNPHW Act, in Crime No.109 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the petitioners and the defacto complainant, as a result of which, the petitioners had attacked the defacto complainant and abused them in filthy language and caused dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the



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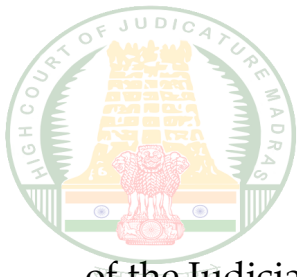
prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) submitted that the injured person has been discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the injured person has been discharged from the hospital and the investigation is almost completed, 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 their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Theni on condition that each of the petitioner shall execute a separate 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



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of the Judicial Magistrate, Theni and on further conditions that:

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(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, Theni. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Theni;

(c) the petitioners shall report before the Inspector of Police, Palanichetti patti police station, Theni District daily at 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



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Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(g) if the accused thereafter abscond, a fresh FIR can be registered under

Section 269 of BNS, 2023.

sd/-

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/06/2025

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

msrm

TO

1.THE JUDICIAL MAGISTRATE,
THENI.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

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

4. THE INSPECTOR OF POLICE,
PALANICHETTI PATTI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-6364[I] dated 17/06/2025)



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ORDER

IN

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Date :16/06/2025

HPS/27.06.2025 /6P/7C

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