



CRL OP(MD). No.9428 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 06/06/2025

PRESENT

THE HONOURABLE MS. JUSTICE R.N.MANJULA

CRL OP(MD). No.9428 of 2025

Arumugam,
S/o.Kumarandi,
Thelungar Street,
Vadugapatti,
Periyakulam,
Theni District.

... Petitioner/ Accused No.4

Vs

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

... Respondent/Complainant

For Petitioner : Mr.G.Sarathkumar,
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.



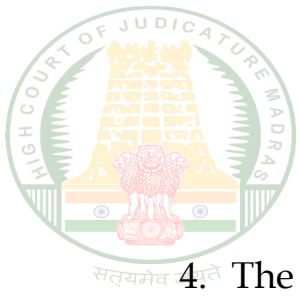
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WEB COPY ORDER: The Court made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under section 296(b), 115(2), 351(2) of BNS and 4 of TNPHW Act in Crime No.239 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that this petitioner and other accused persons have promised to construct a house for the defacto-complainant. Believing the words of the petitioner, the defacto-complainant vacated her house and entrusted to complete the construction work. But, the accused persons failed to construct the house. When the defacto-complainant questioned about the same, they had used filthy language and attacked him and also threatened him with dire consequences. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he had not committed any offence as alleged by the prosecution. A false case has been foisted against the petitioner. The other co-accused were granted bail by this Court. This petitioner is ready and willing to abide any conditions that may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail.



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4. The learned Government Advocate (Crl side) would submit that the Defacto-complainant is desirous to construct house and he approached this petitioner and other accused persons, they promised to construct house. But they failed to do so. When the same was questioned by the defacto-complainant, they have scolded him by using filthy language, attacked and threatened him with dire consequences, and hence he objected to grant anticipatory bail to the petitioner. However, he fairly concedes that no previous case is pending against the petitioner and other accused co-accused were granted bail by this Court.

5. Taking into consideration of the facts and circumstances of the case and also the fact that other co-accused have granted bail and there is no previous case is pending against the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Peiriyakulam 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



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anticipatory bail shall stand dismissed and on further condition that:

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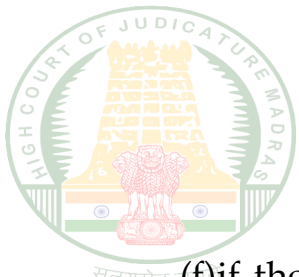
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

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

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

(e) 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;



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(f)if the accused/petitioner thereafter absconds, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
06/06/2025

/ TRUE COPY /

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

gvn

TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM.

2 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.

ORDER
IN
CRL OP(MD) No.9428 of 2025
Date :06/06/2025

MK/11.06.2025 5P/5C

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