



CRL OP(MD). No.9492 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9492 of 2025

1.J.Muthumanickam,
S/o.Jeyaraj

2.J.Jayaram,
S/o.Jayaraj

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Peraiyur Police Station,
Madurai.
(Crime No.80 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.I.Suthakaran,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.9492 of 2025

PRAYER :-

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For Anticipatory Bail in Crime No.80 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 127(2), 296(b), 115(2), 118(1), 351(3) and 303(2) of BNS, 2023 in Crime No.80 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 25.05.2025, at about 5.00 p.m., while the de-facto complainant, who is an agriculturist, was collecting palm drink from his palm trees in his garden near Santhaiyur, three accused persons approached him and asked for toddy. The de-facto complainant objected and sent them away. Later that night, the said three accused persons trespassed into the de-facto complainant's house, attacked him, threatened him with dire consequences, and took away his two-wheeler key, cellphone, and money. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are brothers and work as coolie labourers. On the date of the occurrence, they were going along with one Vinothkumar. When the said Vinothkumar enquired about the palm trees with the de-facto complainant, the de-facto



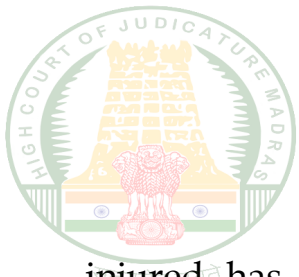
CRL OP(MD). No.9492 of 2025

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complainant shouted at them and asked them to leave the place. Thereafter, they immediately left and the petitioners have not involved in the alleged event that took place at night. They have been falsely implicated in this case. The petitioners are innocent and have not committed any offence as alleged by the prosecution. Hence, the learned counsel seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that there are totally three accused persons in this case and the petitioners have been arrayed as A2 and A3. A1 was arrested and subsequently released on bail on 03.06.2025 by the learned District Munsif cum Judicial Magistrate, Peraiyur in Crl.M.P.No.58 of 2025. He submitted that there is one previous case registered against A2, and there are three previous cases registered against A3. He further submitted that the injured sustained simple injuries and has been discharged from the hospital. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also taking note of the fact that as the date of occurrence is 25.05.2025, by this time most of the investigation might have been completed, and that the co-accused was arrested and subsequently released on bail, and that the



CRL OP(MD). No.9492 of 2025

injured has been discharged from the hospital, this court is inclined to grant
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anticipatory bail to the petitioners, with certain 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 on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Peraiyur, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned District Munsif cum Judicial Magistrate, Peraiyur, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Peraiyur. In the event of any change in their residential address, the petitioner shall report the same to the learned District Munsif cum Judicial Magistrate, Peraiyur;



CRL OP(MD). No.9492 of 2025

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(c) the petitioners shall report before the respondent police daily at 10.30 a.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 Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

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

sd/-
02/07/2025

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



CRL OP(MD). No.9492 of 2025

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TO

- 1.The District Munsif cum Judicial Magistrate,
Peraiyur.
 2. Do through the Chief Judicial Magistrate,
Madurai.
 - 3.The Inspector of Police,
Peraiyur Police Station,
Madurai.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.I.SUTHAKARAN, Advocate (SR-7057[I] dated 02/07/2025)

ORDER
IN
CRL OP(MD) No.9492 of 2025
Date :02/07/2025

PS/SAR.22.07.2025 6P/6C

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