



CRL OP(MD). No.9590 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9590 of 2025

Ramesh,
S/o.Mathiyas

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.215 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Sailendrababu.G.,
Advocate

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

For Intervenor : Mr.Jebastin S,
Advocate



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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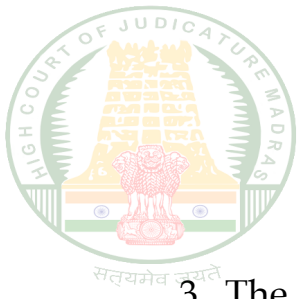
PRAYER :-

For Anticipatory Bail in Crime No.215 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 115(2) and 351(2) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.215 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a pending civil dispute between the de-facto complainant and one Justin. On 15.05.2025, on behalf of the said Justin, the petitioner contacted the de-facto complainant over the phone and informed him that they were willing to settle the dispute amicably by conducting a meeting at the petitioner's residence. Trusting the petitioner's words, the de-facto complainant met the petitioner and the 2nd accused on 16.05.2025 at about 3:15 p.m. at CSI Church, Kanjikuzhi. At that time, the petitioner is said to have abused the de-facto complainant and his wife using filthy language, assaulted the de-facto complainant, and threatened them with dire consequences. Hence, the case.



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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 has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor submitted that the de-facto complainant is the practising advocate, and due to the said incident, he sustained severe injuries. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) submitted that the issue pertains to a civil dispute. There are two accused persons in this case and the petitioner has been arrayed as A1. A2 was arrested and subsequently released on bail. There are no previous cases against the petitioner. He further submitted that the injured was treated only as an outpatient. However, he opposed to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, and taking into account



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of the fact that co-accused was arrested and released on bail, and that the injured was treated only as an outpatient, and that as the date of registration of F.I.R. is 21.05.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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, Eraniel, Kanyakumari District 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, Eraniel, Kanyakumari District 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 the learned Judicial Magistrate, Eraniel, Kanyakumari District. In the event of any change in his residential address, the petitioner shall report the same to the learned



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Judicial Magistrate, Eraniel, Kanyakumari District;

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(c) the petitioner shall report before the respondent police daily twice i.e. at 10.30 a.m. and 05.30 p.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.

8. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

sd/-

23/06/2025

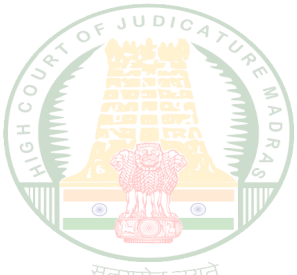
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Sub-Assistant Registrar (C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.



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MKN
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1 THE JUDICIAL MAGISTRATE
ERANIEL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUB INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT

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

+1 CC to M/s.G.SAILENDRA BABU, Advocate (SR-6722[I] dated 25/06/2025)

ORDER
IN
CRL OP(MD) No.9590 of 2025
Date :23/06/2025

SS/SAR- /07/07/2025/ 6P/6C

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