



CRL OP(MD). No.9786 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Siva Elango,
S/o.Chandrasekaran Nadar

2.Sivan @ Suyambu Lingeswaran,
S/o.Rajadurai

3.Sekaran,
S/o.Samikan

... Petitioners/ A1 to A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Pazhavor Police Station,
Tirunelveli.
(Crime No.235 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.Suresh P.,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate

<https://www.mhc.tn.gov.in/judis>



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(Criminal Side)

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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

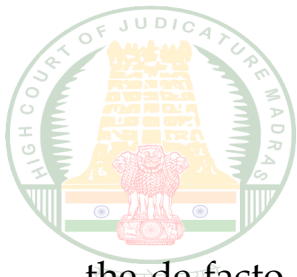
For Anticipatory Bail in Crime No.235 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.235 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 31.05.2025, while the de-facto complainant was travelling on his motorcycle, the accused persons intercepted him. It is alleged that the 1st accused, due to previous enmity arising out of the theft of tender coconuts, assaulted the de-facto complainant with an iron rod. Hence, the case.

3. The learned counsel for the petitioners submitted that the 1st petitioner and the de-facto complainant are brothers, and the present complaint has been lodged by



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the de-facto complainant due to an ongoing family dispute between them. The 2nd and 3rd petitioners are only relatives of the 1st petitioner and are no way connected with the alleged incident. The petitioners are innocent persons and have been falsely implicated in this case. He further submitted that the petitioners are willing to abide by any condition to be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

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

5. Considering the facts and circumstances of the case, and also considering the fact that the injured has been discharged from the hospital, 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 Court, Valliyoor 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



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the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate Court, Valliyoor and on further conditions 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 Judicial Magistrate, Valliyoor. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Valliyoor;

(c) the petitioners shall report before the Inspector of Police, Panagudi Police Station, Tirunelveli 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



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Supreme 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.

MKN

TO

1.THE JUDICIAL MAGISTRATE,
VALLIYOOR.

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

3.THE INSPECTOR OF POLICE,
PAZHAVOOR POLICE STATION,
TIRUNELVELI.

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

COPY TO
THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI.

+1 CC to M/s.P.SURESH, Advocate (SR-6254[I] dated 12/06/2025)
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ORDER

IN

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Date :12/06/2025

HPS/26.06.2025 /6P/7C

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