



CRL OP(MD).No.9931 of 2025

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

Date : 16/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9931 of 2025

Siva Elango (M/44),
S/o.Chandrasekaran Nadar,

.. Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Panagudi Police Station,
Tirunelveli.
(Crime No.563 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.P.Suresh
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.563 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 329(3), 351(3), 49 of BNS 2025 and section 3 of TNPPDL Act, in Crime No.563 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a civil dispute between the petitioner and the defacto complainant, as a result of which, the petitioner along with other accused persons have trespassed into the property of the defacto complainant and damaged the water pipe and crops and threatened the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that co-accused/A1 had already been granted bail by the Principal Sessions Judge, Tirunelveli. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.



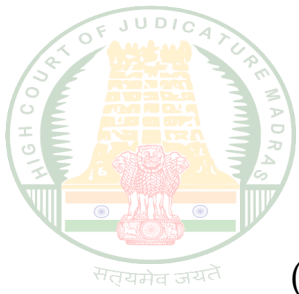
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4. The learned Government Advocate (Criminal Side) submitted that co-accused/A1 had already been granted bail by the Principal Sessions Judge, Tirunelveli. He further submitted that there are four previous cases pending as against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that co-accused/A1 had already been granted bail by the Principal; Sessions Judge, Tirunelveli, and there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 Judicial Magistrate Court, Valliyoor, 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 Judicial Magistrate Court, Valliyoor, and on further conditions 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;

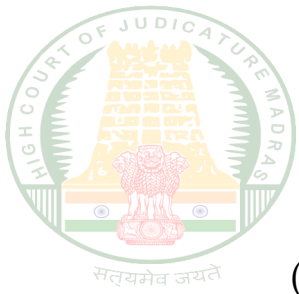
(b) the petitioner shall furnish his residential address and mobile number to the Judicial Magistrate Court, Valliyoor, In the event of any change in his residential address, the petitioner shall report the same to the Judicial Magistrate Court, Valliyoor.

(c) the petitioner shall report before the respondent police daily at 10.30 a.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;



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

sd/-
16/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm
To

- 1.The Judicial Magistrate,
Valliyoor.
2. Do Through The Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.9931 of 2025
Date :16/06/2025

HPS/03.07.2025 /5P/5C

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