



CRL OP(MD).No.10046 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Sakthivel,
S/o.Ganesan

.. Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kottaipattinam Police Station,
Pudukottai District.
(Crime No.34 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.N.Prabhu,
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.34 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(4) and 351(2) of BNS Act and Section 4 of TNPHW Act in Crime No.34 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto-complainant are the neighbours. This petitioner made intimidation to the defacto-complainant and assaulted her. Hence, the case.

3. The learned counsel for the petitioner would submit that due to previous enmity regarding usage of pathway, the defacto-complainant created concocted story and lodged a false complaint against this petitioner. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there was



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a dispute between the defacto-complainant and the petitioner regarding usage of pathway. Due to which, the petitioner assaulted the defacto-complainant and she sustained simple injury and admitted in hospital and later she was discharged from hospital. There is no previous case pending against the petitioner. 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 property dispute is pending between the parties, 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 District Munsif cum Judicial Magistrate, Manamelkudi"** 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 District Munsif cum Judicial Magistrate, Manamelkudi"** 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 contact number to (*) **"the District Munsif cum Judicial Magistrate, Manamelkudi"**. In the event of any change in his residential address, the petitioner shall report the same to (*) **"the District Munsif cum Judicial Magistrate, Manamelkudi"**;

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by



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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.

sd/-
17/06/2025

(*)Corrected as per order of this Court dated 10/07/2025 made in CRL MP(MD) No.8755 of 2025 in CRL OP (MD) No.10046 of 2025

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

GVN

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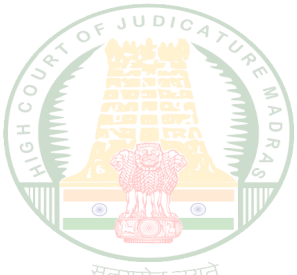
(*)To be substituted to the order which already despatched on 02/07/2025

1 THE ADDITIONAL MAHILA JUDGE,
PUDUKOTTAI.

2 (*)The District Munsif cum Judicial Magistrate,
Manamelkudi.

3.The Chief Judicial Magistrate,
Pudukottai District.

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4 THE INSPECTOR OF POLICE,
KOTTAIPATTINAM POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.N.PRABHU, Advocate (SR-6398[I] dated 17/06/2025)

+1 CC to M/s.N.PRABHU, Advocate (SR-6413[I] dated 17/06/2025)

ORDER

IN

CRL OP(MD) No.10046 of 2025

Date :17/06/2025

SS/SAR- /01/07/2025/ 6P/6C

AVK - 04/08/2025/ 6P/8C

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