

CRL OP(MD).No.10160 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10160 of 2025

Nallathambi, (M-30/2025)

S/o.Late Selvam @ Thedivantha Selvam

.. Petitioner

Vs

State of Tamil Nadu,
Through the Inspector of Police,
K.Pudur Police Station,
Madurai City.
(Crime No.130 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.R.Aravindraj

For Respondent : Mr.M.Karunanithi

Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.130 of 2025 on the file of the Respondent Police.

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 289, 290, 105 of the Bharatiya Nyaya Sanhita,



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2023, in Crime No.130 of 2025 on the file of the respondent police, seeks anticipatory
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bail.

2. The case of the prosecution is that the petitioner is a contractor engaged to demolish the arch situated at Mattuthavani by the Officials of Madurai Corporation. Further, the petitioner along with officers of Madurai Corporation have demolished the arch situated at Mattuthavani without any precautionary safety measures, due to which, the operator of the Hitachi machine died in spot. 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 the petitioner was also injured and there is no previous case pending against the petitioner. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there is no previous case pending against the petitioner and the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner was also injured and he admitted in the hospital on 13.02.2025 and discharged on 13.03.2025 again, he admitted on 07.04.2025 and discharged on



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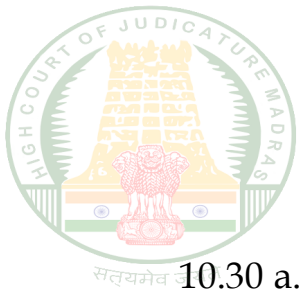
11.04.2025 and also considering the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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, No.VI, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 No.VI, Madurai, 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 Judicial Magistrate Court No.VI, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the Judicial Magistrate Court No.VI, Madurai.

(c) the petitioner shall report before the respondent police daily at



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10.30 a.m., until further orders.

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(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.

sd/-
18/06/2025

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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 NO.VI,
MADURAI.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
K.PUDUR POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.R.ARAVIND RAJ, Advocate (SR-6459[I] dated 18/06/2025)

ORDER
IN
CRL OP(MD) No.10160 of 2025
Date :18/06/2025

SA/SAR. /30.06.2025/5P/6C

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