



CRL OP(MD).No.10552 of 2025

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

Date : 25.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.K.Parasu Ramalingam
2.Antony @ A.Jacob Antony

... Petitioner /
Accused Nos.4 and 5

Vs.

The State of Tamil Nadu,
rep by the Inspector of Police,
Pettai Police Station,
Tirunelveli District.
(Crime No.178 of 2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.178 of
2025 on the file of the respondent police.

For Petitioners : Mr.S.Susikumar
Advocate

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



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ORDER: The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 196(1), 352, 296(b), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.178 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.06.2025 and 13.06.2025, the villagers of the defacto complainant celebrated a temple festival during which they tied their community flag on the top of the arch. The petitioners and other accused persons removed the flag and tied Nadar community flag. When the defacto complainant questioned the same, the petitioners assaulted him and caused injury Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioners. He further submitted that co-accused had already been released on bail by the Judicial Magistrate No.V, Tirunelveli in CrI.MP.No.2643 of 2025 dated 21.06.2025. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that there is dispute between two community people. He would also submit that the there are



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totally five accused in this case and the petitioners are arrayed as Accused No.4 and

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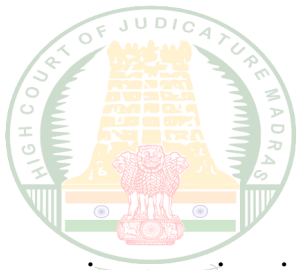
5. The Accused Nos.1 to 3 were released on bail on 21.06.2025. He would also submit that the investigation is almost completed and therefore, he opposed for grant of anticipatory bail to the petitioners.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the accused Nos.1 to 3 are released on bail on 21.06.2025 and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 No.V, Tirunelveli 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 the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate No.V, Tirunelveli and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb



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impression in the surety bond and the Magistrate may obtain a copy of their Aadhar
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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 No.V, Tirunelveli. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.V, Tirunelveli.

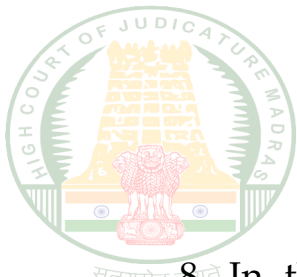
(c) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

(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 Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*.

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



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8. In the result, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SN
TO

1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PETTAI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10552 of 2025
Date :25/06/2025

NM/08.07.2025/ 5P/5C

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