



CRL OP(MD). No.10949 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10949 of 2025

A.Nirmal,
S/o.Ananthappan @ Ananthan

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
(Crime No.134 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.D.Ganeshamoorthi,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.134 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.10949 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences initially punishable under Section 194 of BNSS and subsequently, altered to Section 105 of BNS in Crime No.134 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the father of the deceased. It is alleged that due to the petitioner's negligent act, the de-facto complainant's son died by electrocution. Hence, a case was registered.

3. The learned counsel for the petitioner submitted that this is the third anticipatory bail application filed before this Court. On 26.02.2025, at about 8.00 a.m., the deceased was electrocuted and died on the petitioner's agricultural land, and the body was discovered at around 5.00 p.m. Subsequently, the respondent police registered an FIR in Crime No.134 of 2025 under Section 194 of the BNSS Act, 2023, treating it as a case of suspicious death and later, altered the same to Section 105 of the BNS. He submitted that the petitioner was in Chennai on the date of the occurrence and is in no way connected with the alleged incident as stated by the prosecution. He further submitted that on an earlier occasion, the prosecution had



CRL OP(MD). No.10949 of 2025

submitted that there were two previous cases registered against the petitioner.

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However, in both cases, the petitioner has already been acquitted. Copies of the judgments evidencing the acquittals have also been produced. The petitioner has been falsely implicated in this case. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Criminal Side), by filing the status report, submitted that the petitioner, without obtaining any permission, had illegally installed an electric fence in his agricultural field, due to which the deceased was electrocuted and died on the spot.

5. Per contra, the learned counsel for the petitioner submitted that no illegal electric fence was installed in the petitioner's field. In fact, while the deceased was on his way to bath in the well located on the petitioner's property, he was electrocuted and found dead near the motor room.

6. In reply, the learned Government Advocate (Criminal Side) submitted that the Paragraph No.6 of the status report clearly states that when one Jayant informed the petitioner about the deceased's death, the petitioner admitted that he had set up



CRL OP(MD). No.10949 of 2025

WEB COPY

an electric fence to prevent animals from damaging the paddy crops in his field. He submitted that the petitioner routinely drew electricity illegally from the meter box without any government permission and used it to power the electric fence. Thereafter, following the incident, the petitioner and his brother allegedly removed the wires and absconded. He further submitted that the investigation in this case has been completed, and a charge sheet has been filed in P.R.C.No.346 of 2025 on the file of the learned Judicial Magistrate No.III, Tirunelveli. However, he opposed to grant anticipatory bail to the petitioner.

7. Taking into consideration the facts and circumstances of the case, the nature of the offence, and taking note of the fact that the entire investigation in this case has been completed and a charge sheet has been filed, and that the petitioner was already acquitted in the previous cases registered against him, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees



CRL OP(MD). No.10949 of 2025

Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 learned Judicial Magistrate No.III, Tirunelveli. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Tirunelveli;

(c) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., except on hearing dates, until further orders. Further, the petitioner shall appear before the concerned Trial Court on hearing dates;

(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



CRL OP(MD). No.10949 of 2025

law as if the conditions have been imposed and the petitioner released on bail by the
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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/petitioner thereafter abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
11/08/2025

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/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 Court No.III,
Tirunelveli.

2.The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.10949 of 2025

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+1 CC to M/s.A.D.GANESHA MOORTHY, Advocate (SR-8698[I] dated 12/08/2025)

ORDER
IN
CRL OP(MD) No.10949 of 2025
Date :11/08/2025

AS/26.08.2025/7P/5C

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