



CRL OP(MD). No.10816 of 2025

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

Date : 03/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10816 of 2025

Udhaya Kumar,
S/o.Karuppa Pillai

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Alli Nagaram Police Station,
Theni District.
(Crime No.144 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Ranjith.N, 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.144 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent

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police for the offences punishable under Sections 296(b), 115(2), 329(3), 329(4) and 331(2) of BNS, 2023 r/w. Section 4 of TNPWH Act in Crime No.144 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.06.2025, the de-facto complainant went to the Reliance petrol bunk at Allinagaram. The accused, who is an employee of the said petrol bunk, refused to provide petrol due to a previous incident that had occurred at the same location. As a result, a verbal quarrel ensued, during which the accused abused the de-facto complainant using filthy language, assaulted the de-facto complainant, and also threatened the de-facto complainant with dire consequences. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is the Manager of the said petrol bunk, and is an innocent person and has not committed any offence as alleged by the prosecution. In order to shut down the petrol bunk, the de-facto complainant and his wife, using their influence, lodged the present false complaint against the petitioner. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A2 in this case. A1 was arrested and subsequently released on bail on 27.06.2025 by the learned Judicial Magistrate, Additional Mahila Court, Theni in Crl.M.P.No.1896 of 2025. He further submitted that no one sustained



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any injuries due to the incident. However, he opposed to grant anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case, and taking note of the fact that no one sustained any injuries, and that the co-accused was arrested and subsequently released on bail, 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 learned Judicial Magistrate, Theni 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 learned Judicial Magistrate, Theni 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 learned Judicial Magistrate, Theni. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate,



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Theni; தெனி

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(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;

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

Sd/-

03/07/25

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Sub Assistant Registrar (CS)
Madurai Bench of Madras High Court,
Madurai.

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1.The Judicial Magistrate Court,
Theni.

2.Do through
The Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Alli Nagaram Police Station,
Theni District.

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

ORDER IN
CRL OP(MD) No.10816 of 2025
Date : 03/07/2025

AVK/23.07.2025 5P/5C

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