



CRL OP(MD). No.10812 of 2025

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

Date : 27/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10812 of 2025

Nambinarayanan,
S/o.Arunachalam

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Thirukurunkudi Police Station,
Tirunelveli.
(Crime No.153 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Loganathan R,
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.153 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 75(1)(i), 76, 296(b) and 351 (2) of BNS, 2023 r/w. Section 4 of TNPHW Act in Crime No.153 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.04.2025, at about 7.00 p.m., the petitioner trespassed into the de-facto complainant's house, threatened her, and sexually assaulted her. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. Due to previous enmity with regard to a land dispute, the de-facto complainant has lodged the present false complaint against the petitioner. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. He further submitted that there is one previous case registered against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the



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nature of the offence, and taking note of the fact that as the date of occurrence is 22.04.2025, by this time most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Valliyoor, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Valliyoor, 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, Valliyoor. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Valliyoor;

(c) the petitioner shall report before the respondent police daily twice i.e. at



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10.30 a.m. and 05.30 p.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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
27/06/2025

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

MKN

TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI.

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2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUKURUNKUDI POLICE STATION,
TIRUNELVELI.

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

ORDER
IN
CRL OP(MD) No.10812 of 2025
Date :27/06/2025

NM/09.07.2025/ 5P/5C

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