



CRL OP(MD). No.10958 of 2025

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

Date : 30/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10958 of 2025

1.R.Althaff Hussain

2.Mohammed Kaniyammal

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.
(Crime No.148 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.SMA Jinnah,
Advocate

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



CRL OP(MD). No.10958 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.148 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 96(b), 324(4) and 351(2) of BNS, 2023 r/w. Section 4 of TNPWH Act in Crime No.148 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were constructing a toilet at their house. The de-facto complainant, being the owner of the adjacent house, obstructed the mason who was working for the accused. When this was questioned by the accused, a wordy quarrel arose between them. Hence, the present case.

3. The learned counsel for the petitioners submitted that it is a case, case in counter. The petitioners are innocent persons and have not committed any offence as alleged by the prosecution. A case has also been registered against the de-facto complainant in Crime No.147 of 2025 on the file of the respondent police. He,



CRL OP(MD). No.10958 of 2025

however, submitted that the petitioners are ready to abide by any conditions that
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may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally five accused persons in this case and the petitioners have been arrayed as A1 and A2. All other accused are still absconding. Due to the said incident, no one sustained any injuries. He further submitted that there are no previous cases registered against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also taking note of the fact that as the date of occurrence is 20.05.2025, by this time most of the investigation might have been completed, and that no one sustained any injuries, and that there are no previous cases registered against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. 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 learned Judicial Magistrate IV, Tirunelveli



CRL OP(MD). No.10958 of 2025

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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 learned Judicial Magistrate IV, Tirunelveli and on further conditions that:

(a) the petitioners 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate IV, Tirunelveli. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate IV, 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;



CRL OP(MD). No.10958 of 2025

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(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]; and;

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

sd/-
30/06/2025

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/07/2025

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

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CRL OP(MD). No.10958 of 2025

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1.The Judicial Magistrate IV,
Tirunelveli.

2. Do through the Chief Judicial Magistrate,
Tirunelveli.

3.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.

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

ORDER

IN

CRL OP(MD) No.10958 of 2025

Date :30/06/2025

PS/16.07.2025 6P/5C

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