

CRL OP(MD). No.11014 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11014 of 2025

P.Prakash,
S/o.Padmanathan

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi.
(Crime No.420 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.J.Arul Prakash,
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.420 of 2025 on the file of the Respondent Police.



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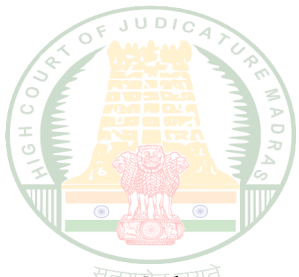
ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 351(3) and 3(5) of the BNS, 2023 r/w. Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 in Crime No.420 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with other accused, abused the de-facto complainant using filthy language, threatened him with dire consequences, and also damaged a bike and a car. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He 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 to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally eight accused persons in this case and the petitioner has been arrayed as A1. A2 has been granted anticipatory bail by the Principal District Judge, Thoothukudi



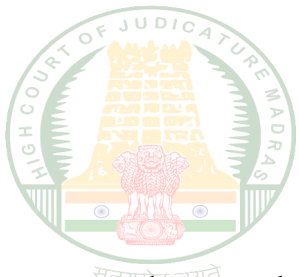
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in CrI.M.P.No.2274 of 2025, and A3 to A8 were arrested and subsequently released on bail. He further submitted that there are four previous cases registered against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the fact that as the date of occurrence is 05.06.2025, by this time most of the investigation might have been completed, and that one of the co-accused has been granted anticipatory bail while all other co-accused have been 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 No.III, Thoothukudi on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 No.III, Thoothukudi 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



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card or Bank pass Book to ensure their identity;

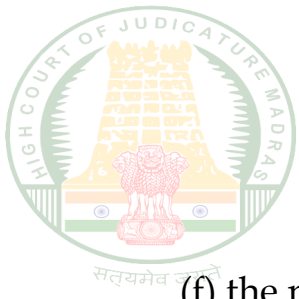
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(b) the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Crime No.420 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate No.III, Thoothukudi, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner and learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.420 of 2025. The Trial Court shall decide the entitlement to the deposit amount at the time of passing the final order or judgment;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Thoothukudi. In the event of any change in their residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Thoothukudi;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;

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

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The Judicial Magistrate No.III,
Thoothukudi.

2. To Through: The Chief Judicial Magistrate,
Thoothukudi.



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3.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi.

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

ORDER
IN
CRL OP(MD) No.11014 of 2025

Date : 07/07/2025

KM (24.07.2025)/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.