



CRL OP(MD).No.11250 of 2025

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

Date : 04.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11250 of 2025

1. Santhosh
2. Sivanantham
3. Malarkodi
4. Sutha

.. Petitioners/ Accused Nos.1, 3, 5 & 6

Vs

The State of Tamil Nadu,
Rep by The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.138 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.C.Jeya Prakash
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD).No.11250 of 2025

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PRAYER :- For Anticipatory Bail in Crime No.138 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351 (3) of BNS and Section 4 of TNPHW Act, in Crime No.138 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the petitioners and the defacto complainant, as a result of which, on 30.03.2025 at about 10.30 p.m., the petitioners along with other accused persons have entered into the land of the defacto complainant and assaulted the son of the defacto complainant and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.



CRL OP(MD).No.11250 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) submitted that the injured person has been discharged from the hospital and there is no previous case pending against the petitioners. He further submitted that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the injured person has been discharged from the hospital and the investigation has been almost completed and there is no previous case pending 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, Uthamapalayam, Theni District, on condition that each of the petitioner shall execute a separate 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



CRL OP(MD).No.11250 of 2025

Magistrate, Uthamapalayam, Theni District, and on further conditions that:

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(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, Uthamapalayam, Theni District, In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Uthamapalayam, Theni District ;

(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;

(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



CRL OP(MD).No.11250 of 2025

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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/-
04/07/2025

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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm

To

1.The learned Judicial Magistrate,
Uthamapalayam, Theni District.



CRL OP(MD).No.11250 of 2025

2. Do through the Chief Judicial Magistrate,
Uthamapalayam.

3. The The Inspector of Police,
Chinnamanur Police Station,
Theni District.

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

+1 CC to M/s.C.JEYAPRAKASH, Advocate (SR-7178[I] dated 07/07/2025)

ORDER
IN
CRL OP(MD) No.11250 of 2025
Date :04/07/2025

PS/SAR.18.07.2025 6P/6C

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