



CRL OP(MD). No.11701 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11701 of 2025

Kongesvaran,
S/o.Kesavan

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai.
(Crime No.30 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Subramanian.A,
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.30 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences initially punishable under Section 194 of BNSS, 2023 and subsequently, altered to Section 105 of BNS, 2023 in Crime No.30 of 2025 on the file



of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had erected an illegal electric fence in his land, due to which the deceased, on coming into contact with the said fence, died of electrocution. Hence, a case was registered.

3. The learned counsel appearing for the petitioner submitted that this is the third anticipatory bail application filed before this Court. The petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution, and that 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.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. He further submitted that there are no previous cases registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of the offence, and taking note of the fact that there are no previous cases registered against the petitioner, and that as the date of registration of FIR is 07.02.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.11701 of 2025

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6. Accordingly, the petitioner is ordered to be released on bail in the event of 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 District Munsif cum Judicial Magistrate, Thiruppuvanam, 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 the police officer who intends to arrest or to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruppuvanam, 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 District Munsif cum Judicial Magistrate, Thiruppuvanam. In the event of any change in his residential address, the petitioner shall report the same to the learned District Munsif cum Judicial Magistrate, Thiruppuvanam;

(c) the petitioner shall report before the respondent police daily twice i.e. at 10.00 a.m. and 05.00 p.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during



CRL OP(MD). No.11701 of 2025

investigation or trial;

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(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/-
18/08/2025

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/09/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The District Munsif cum Judicial Magistrate,
Thiruppuvanam.

2.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai.



CRL OP(MD). No.11701 of 2025

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

ORDER
IN
CRL OP(MD) No.11701 of 2025
Date :18/08/2025

SBN/10.09.2025 5P/4C

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