



CRL OP(MD). No.11601 of 2025

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

Date : 17/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11601 of 2025

Esekki,
S/o.Revathi

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Pathamada Police Station,
Tirunelveli District.
(Crime No.158 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Veeravelpandi M,
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.158 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.11601 of 2025

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ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 127(2), 296(b), 115(2) and 351(3) of BNS, 2023 r/w. Section 4 of TNPHW Act, 2002 in Crime No.158 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is engaged in agricultural work. The de-facto complainant and his friend Nambirajan had a prior enmity with the 1st accused. On 25.06.2025, while the de-facto complainant, his mother, his friend Nambirajan, and Nambirajan's wife were standing in front of Nambirajan's house, the accused persons arrived and abused them using filthy language. The accused persons caught hold of the de-facto complainant's hand and restrained him from moving. Subsequently, the 1st and 3rd accused stabbed and kicked him on his right leg and head, thereby causing simple injuries. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged



CRL OP(MD). No.11601 of 2025

occurrence as stated by the prosecution. He has been falsely implicated in this case.

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He further submitted that A2 and A3 were arrested and subsequently released on bail. 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 for the petitioner.

4. The learned Government Advocate (Crl. side) submitted that there are totally five accused persons in this case and the petitioner has been arrayed as A4. A2 and A3 have been granted anticipatory bail, and A1 & A5 are still absconding. There are no previous cases registered against the petitioner. He further submitted that the injured was treated only as an outpatient. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also taking note of the fact that two of the co-accused have been granted anticipatory bail, and that there are no previous cases registered against the petitioner, and that the injured was treated only as an outpatient, this court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.11601 of 2025

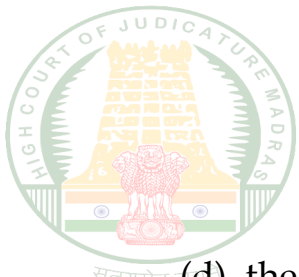
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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Cheranmahadevi,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

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



CRL OP(MD). No.11601 of 2025

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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/-
17/07/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.11601 of 2025

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TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI,
TIRUNELVELI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PATHAMADAI POLICE STAION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.11601 of 2025
Date :17/07/2025

NM/08.08.2025/ 6P/5C

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