



CRL OP(MD). No.11647 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Stalin @ Stalin J.R.,
S/o.Johnson

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Karungal Police Station,
Karungal, Kanyakumari District.
(Crime No.99 of 2018)

... Respondent/ Complainant

For Petitioner : Mr.A.Robinson,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.99 of 2018 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 364, 323, 324, 307 and 506(2) of IPC in Crime No.99 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.04.2018, at about 8.00 a.m., the accused threatened the de-facto complainant, and on the same day, at about 10.00 p.m., all the accused abused him using filthy language, assaulted him, and took him in a car. After reaching near Palavilai Junction, the de-facto complainant was pushed out of the car, assaulted with an axe, and threatened with dire consequences. Hence, the present case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He submitted that the petitioner had earlier been granted anticipatory bail by the learned Principal Sessions Judge, Nagercoil. He further submitted that the respondent police have filed a final report, which has been taken on file by the learned Judicial Magistrate



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No.1, Eraniel, in P.R.C.No.43 of 2022. Due to his illness, the petitioner could not appear before the trial Court, and hence, a Non-Bailable Warrant was issued against the petitioner and the other accused on 23.02.2023. Thereafter, the case was split up against the petitioner/A2 and A3 in P.R.C.No.58 of 2023. He further submitted that the petitioner undertakes not to abscond and to appear regularly before the Trial Court on all hearing dates without fail. 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 (Crl. side) submitted that there are totally three accused persons in this case and the petitioner has been arrayed as A2. He further submitted that the case was split up against the petitioner/A2 and A3 in P.R.C.No.58 of 2023 and a Non-Bailable Warrant is pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and taking note of the fact that the entire investigation has been completed in this case and a charge sheet has been filed and the same was taken on file as P.R.C.No.58 of 2023, and also considering the undertaking given by the learned counsel for the petitioner, this court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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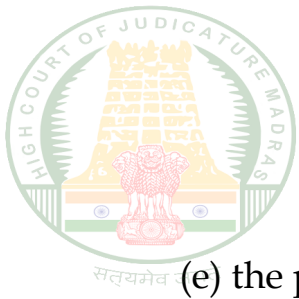
6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Eraniel, on condition that the petitioner shall execute a bond for 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 Judicial Magistrate No.1, Eraniel, 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 No.1, Eraniel. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Eraniel;

(c) the petitioner shall report before the learned Judicial Magistrate No.1, Eraniel on all working days at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during 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/-
05/08/2025

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

mkn

TO

1.The Judicial Magistrate Court No.1, Eraniel.

2.The Inspector of Police, Karungal Police Station,
Karungal, Kanyakumari District.

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



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+1 CC to M/s.A.ROBINSON, Advocate (SR-8472[I] dated 06/08/2025)

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ORDER
IN

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Date :05/08/2025

PS/SAR.28.08.2025 6P/5C

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