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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

CRL OP(MD). No.11723 of 2025

M.Parasuraman,
S/o.Murugan ... Petitioner/A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.215 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Mohamed Haneef,
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.215 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police

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for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.215 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the 1st accused and the de-facto complainant, on 29.04.2025, at about 8.30 p.m., the accused abused the de-facto complainant, attacked him with sickle, and also threatened him with dire consequences. Hence, a 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 further submitted that A1 was arrested and subsequently released on bail by the learned Judicial Magistrate No.II, Nagercoil on 20.05.2025 in Crl.M.P.No.1424 of 2025, and A2 has been granted anticipatory bail by the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil on 23.07.2025 in Crl.M.P.No.2834 of 2025, and A4 has been granted anticipatory bail by the learned Vacation Sessions Judge, Nagercoil on 15.05.2025 in Crl.M.P.No.59 of 2025. 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

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four accused persons in this case and the petitioner has been arrayed as A3. A1 was arrested and subsequently released on bail by the learned Judicial Magistrate No.II, Nagercoil on 20.05.2025 in Crl.M.P.No.1424 of 2025, and A2 has been granted anticipatory bail by the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil on 23.07.2025 in Crl.M.P.No.2834 of 2025, and A4 has been granted anticipatory bail by the learned Vacation Sessions Judge, Nagercoil on 15.05.2025 in Crl.M.P.No.59 of 2025. There are no previous cases registered against the petitioner. He further submitted that the injured has been discharged from the hospital. However, 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 also taking note of the fact that the injured has been discharged from the hospital, and that one of the co-accused was arrested and subsequently released on bail, and two of the co-accused have been granted anticipatory bail, and that there are no previous cases registered against the petitioner, and that as the date of occurrence is 29.04.2025, 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.

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

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the order copy made ready, before the learned Judicial Magistrate No.II, Nagercoil, 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 No.II, Nagercoil, 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.II, Nagercoil. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Nagercoil;

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

(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

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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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/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 Judicial Magistrate No.II, Nagercoil.

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

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

ORDER
IN
CRL OP(MD) No.11723 of 2025
Date :05/08/2025

NBF/SAR- /26/08/2025/ 5P/4C

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