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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2025

PRESENT

The HONOURABLE MR. JUSTICE **P. VADAMALAI**

CRL OP(MD). No.11852 of 2025

1. Isaikipandiyan @ Isaikipandi

2. Murugan @ Esakkipandi

3. Siva @ Sivasankaran

4. Paramasivan

5. Aravinth @ Balasubramanian

6. Muthu @ Esakkimuthu ... Petitioners/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
Crime No.456 of 2025. ... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram,

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

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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.456 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 189(2), 329(4), 296(b) and 351(3) of BNS 2023 and Section 3 of TNPPDL Act and Section 4 of TNPHW Act in Crime No.456 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive, the accused caused damages to the defacto complainant's bike and threatened her with dire consequences and also abused in filthy language. 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 A1 and A2 were released on bail by the learned Principal Sessions Judge, Tirunelveli in Crl.M.P.No.3553 of 2025, dated

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08.08.2025 and Crl.M.P.No.3272 of 2025, dated 22.07.2025. 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.

4.Since the accused Nos.1 and 2/petitioner Nos.1 and 2 are already released on bail by the learned Principal Sessions Judge, Tirunelveli, the learned Counsel for the petitioners seeks permission of this Court, to withdraw this petition insofar as the petitioner Nos.1 and 2 are concerned.

5. The learned Government Advocate (Criminal Side) submitted that no one sustained injury in this incident and there are no previous cases pending against the petitioner Nos.3 to 6. He further submitted that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner Nos.3 to 6.

6. Considering the facts and circumstances of the case and also the fact that co-accused have already been released on bail in Crl.M.P.No.3553 of 2025, dated 08.08.2025 and Crl.M.P.No.3272 of 2025, dated 22.07.2025. Taking note of the fact that no one was injured in this incident and there are no previous cases pending

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against the petitioner Nos.3 to 6 and by this time, little part of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioner Nos.3 to 6 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, Cheranmahadevi, Tirunelveli District**, on condition that the petitioner Nos.3 to 6 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 Magistrate, Cheranmahadevi, Tirunelveli District**, and on further conditions that:

(a) the petitioner Nos.3 to 6 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 Nos.3 to 6 shall furnish their residential

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address and mobile number to the **learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District**. In the event of any change in their residential address, the petitioner Nos.3 to 6 shall report the same to the **learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District**.

(c) the petitioner Nos.3 to 6 shall report before the respondent Police, daily at 10.30 a.m., and 05.30 p.m., until further orders.

(d) the petitioner Nos.3 to 6 shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner Nos.3 to 6 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 Nos.3 to 6 released on bail by the learned

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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.

8.Thus, the criminal original petition stands partly allowed insofar as the petitioner Nos.3 to 6 are concerned.

9.Insofar as the petitioner Nos.1 and 2 are concerned, the criminal original petition stands dismissed as withdrawn.

sd/-
12/08/2025

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

lr

TO

1 The Judicial Magistrate,
Cheranmahadevi,
Thirunelveli District.

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2 The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-8784[I] dated 13/08/2025)

ORDER
IN
CRL OP(MD) No.11852 of 2025
Date :12/08/2025

NM/03.09.2025/ 7P/5C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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