



CRL OP(MD). No.11947 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11947 of 2025

1.S.Karthick,
S/o.G.Sankaranarayanan

2.S.Maheswer,
S/o.G.Sankaranarayanan

... Petitioners/A1 & A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Singampunari Police Station,
Singampunari,
Sivagangai District.
(Crime No.159 of 2025)

... Respondent/Complainant

For Petitioners : Mr.Mr.V.Kathirvel,
Senior Counsel for
Mr.Shaji Chellan.L,
Advocate

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



CRL OP(MD). No.11947 of 2025

WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

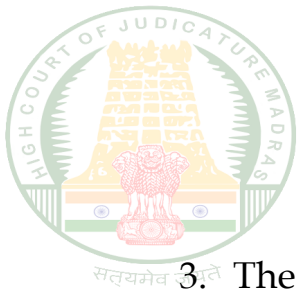
PRAYER :-

For Anticipatory Bail in Crime No.159 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 194 of BNSS @ Section 105 of BNS, 2023 in Crime No.159 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 3rd accused is running a school under the name and style of "Jezreel Public School" along with his wife/A4. The de-facto complainant's son, namely Aswanth, was studying in 2nd standard at the said school. On 30.06.2025, Aswanth went to school as usual. Around 4.00 p.m., the school management informed the de-facto complainant over the phone that his son had been admitted to the Government Hospital due to illness. The de-facto complainant rushed to the hospital and came to know that his son had already died. Later, he came to know that the child had accidentally gotten stuck inside a closed car and died due to suffocation. Hence, the present case was registered.



CRL OP(MD). No.11947 of 2025

WEB COPY

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, and have not committed any offence as alleged by the prosecution. The said occurrence was took place only by the negligent act of the driver of the car i.e. the 5th accused. There is no specific overt act against the petitioners. As the petitioners are the sons of the A3 and A4, they have been implicated in this case. He further submitted that A3 was arrested and subsequently released on bail by this Court on 11.07.2025 in CrI.O.P.(MD)No.11765 of 2025, and A4 was arrested and subsequently released on bail by this Court on 09.07.2025 in CrI.O.P.(MD)No.11604 of 2025, and A5 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Sivagangai on 17.07.2025 in Cr.M.P.No.1865 of 2025, and A6 has been granted anticipatory bail by the learned Principal Sessions Judge, Sivagangai on 28.07.2025 in Cr.M.P.No.1918 of 2025. He, however, submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side), by filing status report, submitted that there are totally six accused persons in this case and the petitioners have been arrayed as A1 and A2. They are the sons of A3 and A4. He further submitted that A3 was arrested and subsequently released on bail by this Court on 11.07.2025 in CrI.O.P.(MD)No.11765 of 2025, and A4 was arrested and subsequently

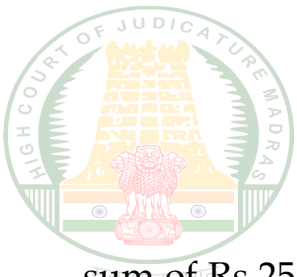


CRL OP(MD). No.11947 of 2025

released on bail by this Court on 09.07.2025 in Crl.O.P.(MD) No.11604 of 2025, and A5 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Sivagangai on 17.07.2025 in Cr.M.P.No.1865 of 2025, and A6 has been granted anticipatory bail by the learned Principal Sessions Judge, Sivagangai on 28.07.2025 in Cr.M.P.No.1918 of 2025. He submitted that there are no previous cases registered against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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 three of the co-accused were arrested and subsequently released on bail, and one of the co-accused has been granted anticipatory bail, and that there are no previous cases registered against the petitioners, and that as the date of occurrence is 30.06.2025, by this time most of the investigation might have been completed and custodial interrogation of the petitioners is not necessary at this stage, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Singampunari on condition that the petitioners shall execute a bond for a



CRL OP(MD). No.11947 of 2025

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sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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, Singampunari, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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 petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Singampunari. In the event of any change in their residential address, the petitioners shall report the same to the learned District Munsif cum Judicial Magistrate, Singampunari;

(c) the petitioners shall report before the Inspector of Police, Karaikudi North Police Station, Karaikudi daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with



CRL OP(MD). No.11947 of 2025

law as if the conditions have been imposed and the petitioners released on bail by the
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learned Magistrate/Trial Court themselves 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/petitioners thereafter abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
31/07/2025

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

mkn

TO

1 The District Munsif Cum Judicial Magistrate,
Singampunari.

2 The Inspector of Police,
Singampunari Police Station,
Singampunari,
Sivagangai District.

3 The Inspector of Police,
Karaikudi North Police Station,
Karaikudi.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.11947 of 2025

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

+1 CC to M/s.L.SHAJI CHELLAN, Advocate (SR-8284[I] dated 01/08/2025)

ORDER
IN
CRL OP(MD) No.11947 of 2025
Date :31/07/2025

AS/26.08.2025/7P/6C

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