



CRL OP(MD). No.11974 of 2025

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.11974 of 2025

Shunmugakumar,
S/o.Rajapandi

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Shenkottai Police Station,
Tenkasi District.
(Crime No.304 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Balamurugan,
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.304 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.11974 of 2025

ORDER: The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.304 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 running a cab service. On 12.07.2025, he went to pick up a customer from Shenkottai to Aryankavu. While he was having breakfast at Shenkottai, the 1st accused allegedly took away his vehicle bearing Registration No.TN-76-AL-2523. Based on the complaint lodged, the 1st accused was apprehended and he confessed that he took the vehicle at the instigation of the petitioner/ A2. 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 occurrence as stated by the prosecution. He has been falsely implicated in this case. 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), by filing status report,

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CRL OP(MD). No.11974 of 2025

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submitted that the petitioner has been arrayed as A2 in this case. He submitted that the petitioner appeared before the respondent police and surrendered the stolen vehicle. 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 as the stolen property has already been recovered, custodial interrogation of the petitioner is not necessary at this stage, and that as the date of occurrence is 12.07.2025, by this time material part 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 the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Shenkottai, 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 District Munsif cum Judicial Magistrate, Shenkottai, failing which, the petition for anticipatory bail shall stand



CRL OP(MD). No.11974 of 2025

dismissed and on further condition that:

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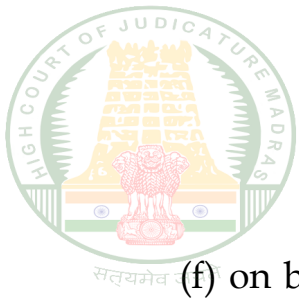
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall furnish his residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Shenkottai. In the event of any change in his residential address, the petitioner shall report the same to the learned District Munsif cum Judicial Magistrate, Shenkottai;

(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;



CRL OP(MD). No.11974 of 2025

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(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/-
31/07/2025

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

MKN
TO

1 The District Munsif Cum Judicial Magistrate,
Shenkottai.

2 Do Through
The Chief Judicial Magistrate,
Tenkasi District.

3 The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.

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CRL OP(MD). No.11974 of 2025

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

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-8308[I] dated 01/08/2025)

ORDER
IN
CRL OP(MD) No.11974 of 2025
Date :31/07/2025

NM/28.08.2025/ 6P/6C

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