



CRL OP(MD)No.12034 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 31/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD)No.12034 of 2025

and

CrI.M.P(MD)No.9589 of 2025

1.Sarbudeen

2.Farookali @ Farook

3.Abuthakir

4.Mohaideen Abdul Khadar @ Thofeeq

5.Asik Abdul Raheem @ Asik

6.Syed Ibrahim : Petitioners/ Accused Nos.1, 2 & 3 to 7

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.101 of 2025)

: Respondent/Complainant

For Petitioners : Mr.J.Senthil Kumaraiah,
Advocate

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



CRL OP(MD)No.12034 of 2025

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

For Intervenor : Mr.J.Antony Arul Raj,
Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.101 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 191(2), 191(3), 324(4), 115(2), 118(1), 351 (2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No.101 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 12.07.2025 at about 06.00 am, while the de facto complainant's brother, Mohaideen Abdul Kadhar, had issued pamphlets criticizing the first accused for the failure of the Jamaat administration, the petitioners, along with other accused persons, allegedly trespassed into the



CRL OP(MD)No.12034 of 2025

WEB COPY

residence of the de facto complainant's brother, abused him and his wife and also his family members. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the first petitioner is aged about 71 years and he is the President of the Jamaad for more than 12 years. The defacto complainant and his brother continuously defame the first petitioner and his service. On 12.07.2025, the defacto complainant and his family members attacked the first petitioner and caused injuries. Hence, he lodged the complaint and the FIR came to be registered in Crime No.100 of 2025, for the offences punishable under Sections 296(b), 126(2), 115(2) and 351(2) of BNS.

4.The learned counsel for the intervenor submitted that on 11.07.2025 at about 05.30 am, her husband's brother circulated pamphlet to the public against the first accused, due to which, the accused persons trespassed into the defacto complainant's house and attacked him and his wife with bricks and caused grievous injuries. Hence, he opposed to grant anticipatory bail to the petitioners.



CRL OP(MD)No.12034 of 2025

WEB COPY

5. The learned Government Advocate (Criminal Side) for the respondent police submitted that there was a dispute between the petitioners and the defacto complainant with regard to the Jamaad administration, due to which, the petitioners along with other accused persons abused the defacto complainant and his family members and also caused injuries. He further submitted that the counter case in Crime No.100 of 2025 is pending. The petitioners are not having any previous cases and the injured was treated as out-patient.

6. Considering the facts and circumstances of the case and also the facts that it appears to the dispute with regard to the Jamaad administration, injured was treated as out-patient and this is a case and counter case and also the fact that the petitioners are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners 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 District Munsif cum Judicial Magistrate, Peraiyur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like



CRL OP(MD)No.12034 of 2025

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sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned District Munsif cum Judicial Magistrate, Peraiyur and on further conditions 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, Peraiyur. In the event of any change in their residential address, the petitioners shall report the same to the learned District Munsif cum Judicial Magistrate, Peraiyur;

(c) the petitioners shall stay at Usilampatti and report before the Usilampatti Police Station daily twice at 10.00 a.m., and 05.00 pm., 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 law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



CRL OP(MD)No.12034 of 2025

Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(g) if the accused thereafter abscond, a fresh FIR can be registered under

Section 269 of BNS, 2023. Consequently, connected Miscellaneous Petition is closed.

sd/-

31/07/2025

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/08/2025

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

das

TO

- 1.The District Munsif cum
Judicial Magistrate, Peraiyur.
- 2.Do through The Chief Judicial Magistrate,
Madurai.
- 3.The Inspector of Police, Peraiyur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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



CRL OP(MD)No.12034 of 2025

Copy to

The Inspector of Police
Usilampatti Police Station, Madurai.

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-8277[I] dated 01/08/2025)

ORDER
IN
CRL OP(MD) No.12034 of 2025
Date :31/07/2025

PR/25.08.2025 7P/7C

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