



CRL OP(MD). No.12263 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.T.V.Senthilkumar,
S/o.Venkatachalam

2.Shenbagavalli,
W/o.Senthilkumar

3.Shankar @ EVS Shankar,
S/o.Esakkimuthu

... Petitioners/ A3, A4 & A5

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
E.Pudur Police Station,
Trichy City.
(Crime No.147 of 2025)

... Respondent/Complainant

For Petitioners : Mr.V.Karuna,
Advocate

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.147 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3, A4 & A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 324(4) of BNS, 2023 r/w. Section 67 of Information Technology Act, 2000 in Crime No.147 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the councillor of Ward No.57 of Trichy Corporation. He wanted to carry out the removal work of encroachments in the public pathway as per the direction by this Court. On 29.03.2025, the de-facto complainant asked the petitioners and other accused to remove the encroachments made by them on the public pathway for forming road storm drainage. But, the petitioners threw mud on the de-facto complainant and abused him and also the accused captured the incident and published it in social media, which caused defame to the de-facto complainant. Hence, the present case has been registered.

3. The learned counsel appearing for the petitioners submitted that this is the second anticipatory bail application filed before this Court. While removing drainage



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water at the instance of the de-facto complainant, the wall of the accused Nos.1 and 2 was damaged. Hence, the 1st and 2nd accused questioned the same. As there was an earlier election motive between the de-facto complainant and the 1st and 2nd accused, the present case has been registered. The respondent police, without any preliminary enquiry, registered the case. The petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He further 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 (Crl. side) submitted that there are totally six accused persons in this case and the petitioners have been arrayed as A3, A4 and A5. A1 and A2 have been granted anticipatory bail by this Court in Crl.O.P.(MD) No.10416 of 2025 on 23.06.2025. He further 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 two of the co-accused have been granted anticipatory bail by this Court, and that even after the dismissal of the earlier petition on 01.07.2025, the respondent police has not taken any effective steps to secure the accused, and that there are no previous cases registered against the



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petitioners, and that as the date of registration of FIR is 22.04.2025, by this time most of the investigation might have been completed, 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 Judicial Magistrate No.II, Trichy 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 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, Trichy, 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 Judicial Magistrate No.II, Trichy. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.II, Trichy;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m.



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until further orders;

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(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 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/-
04/08/2025

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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,Trichy.

2.The Inspector of Police,E.Pudur Police Station, Trichy City.



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

+1 CC to M/s.V.KARUNA, Advocate (SR-8479[I] dated 06/08/2025)

ORDER

IN

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Date :04/08/2025

NBF/SAR- /26/08/2025/ 6P/5C

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