



CRL OP(MD).No.12336 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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S.Rajesh,
S/o.Sundaram,

.. Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(Crime No.463 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.T.Wins
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.463 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 78(2), 351(2) of BNS, 2023 and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in



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Crime No.463 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that this petitioner is a practicing advocate and the defacto-complainant had engaged the petitioner to represent her matrimonial and domestic violence cases. Due to the misunderstanding between the defacto-complainant and this petitioner, the complainant requested to return of her case bundle, but, the petitioner refused to return back the bundle. On 27.04.2025, the petitioner trespassed into her parental home and used filthy language and criminally intimidated her. On 01.07.2025, the petitioner again followed her, and used abusive language and threatened her. Hence, the case.

3. The learned counsel for the petitioner would submit that the complainant to tarnish the petitioner's reputation in the legal profession, she deliberately gave a false complaint against this petitioner. This petitioner is a practicing advocate and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that it is the case of misunderstanding between the advocate and the client. However, the petitioner return the bundle to the complainant. However, he opposed to grant anticipatory bail to the petitioner.



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5. Considering the facts and circumstances of the case and also taking note that the in this case, FIR was registered on 02.07.2025, by this time most of the investigation might have been completed, there is no previous bad antecedent against the petitioner, 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 anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Padmanabhapuram on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 No.I, Padmanabhapuram and on further conditions that:

(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 contact number to the learned Judicial Magistrate No.I, Padmanabhapuram. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial



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Magistrate No.I, Padmanabhapuram;

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(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;

(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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
23/07/2025

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



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TO
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1.The Judicial Magistrate No.I, Padmanabhapuram, Kanyakumari District.

2.Do Through The Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

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

+1 CC to M/s.T.WINS, Advocate (SR-7933[I] dated 23/07/2025)

ORDER
IN

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Date :23/07/2025

SBN/14.08.2025 5P/6C

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