



CRL OP(MD). No.12673 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12673 of 2025

Esakki Muthu Alias Chinnavatthu,
S/o.Cholai Appan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
(Crime No.110 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Muthuram R,
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.110 of 2025 on the file of the Respondent Police.



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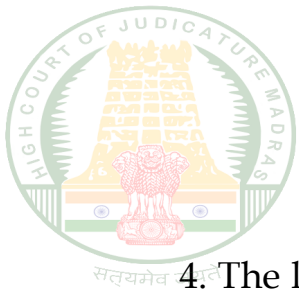
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ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 109(1) and 351(3) of BNS, 2023 in Crime No.110 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.05.2025, at about 6.00 p.m., while the de-facto complainant was travelling on his bike, the accused allegedly waylaid him, abused him using filthy language, and threatened him with dire consequences. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail application filed before this Court. 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 on the ground that he is the brother of the 1st accused. He further submitted that A1 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Tirunelveli District on 11.06.2025 in Cr.M.P.No.2452 of 2025. 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.



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4. The learned Government Advocate (Crl. side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A1 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Tirunelveli District on 11.06.2025 in Cr.M.P.No.2452 of 2025. There are six previous cases registered against the petitioner. He further submitted that no one sustained any injuries due to the incident. 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 the co-accused was arrested and subsequently released on bail, and that no one sustained any injuries due to the incident, and that as the date of occurrence is 10.05.2025, by this time most 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 Judicial Magistrate, Nanguneri, Tirunelveli District, 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 the police officer who intends to arrest or to



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the satisfaction of the learned Judicial Magistrate, Nanguneri, Tirunelveli District,
failing which, the petition for anticipatory bail shall stand dismissed and on further
condition 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 mobile number to the learned Judicial Magistrate, Nanguneri, Tirunelveli District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Nanguneri, Tirunelveli District;

(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



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

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(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
30/07/2025

/ TRUE COPY /

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

mkn

TO

1.The Judicial Magistrate,
Nanguneri, Tirunelveli District.

2.The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.

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



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+1 CC to M/s.R.MUTHURAM, Advocate (SR-8245[I] dated 31/07/2025)

ORDER

IN

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Date :30/07/2025

AS/26.08.2025/6P/5C

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