



CRL OP(MD). No.12441 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12441 of 2025

Kathiresan,
S/o.Ganesan

... Petitioner/ A1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.174 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Vijayendiran V,
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.174 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences under Sections 296(b) and 115(2) of BNS, 2023 r/w. Section 88 of Juvenile Justice Act in Crime No.174 of 2025 on the file of the respondent police,



seeks anticipatory bail.

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2. The case of the prosecution is that the de-facto complainant is the mother of the victim. The victim is a student of 9th standard at Tiruchuli Uravinmurai Nadar S. Vaithiya Nadar Higher Secondary School, Virudhunagar District. On 16.07.2025, Kamarajar's birthday was celebrated at the school, resulting in a lot of garbage being scattered on the premises. On 17.07.2025, the 1st accused, who is the PET teacher of the school, allegedly directed the victim and some other students to clean the school campus and brutally assaulted the victim. It is also alleged that the 2nd accused, who is the headmaster of the school, scolded the victim and assaulted him with a wooden log. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. However, he submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A1 in this case. The accused persons attacked the de-facto complainant's son, who is aged about 14 years. He further submitted that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.



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5. Taking into consideration the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the injured has been discharged from the hospital, and that there are no previous cases registered against the petitioner, and that as the date of registration of FIR is 18.07.2025, 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, Thiruchuli, 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 the satisfaction of the learned Judicial Magistrate, Thiruchuli, 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, Thiruchuli. In the event of any change in his



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residential address, the petitioner shall report the same to the learned Judicial
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Magistrate, Thiruchuli;

(c) the petitioner shall report before the respondent police weekly twice i.e. on every Saturday and Sunday at 9.00 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
01/08/2025

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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, Thiruchuli.

2.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-8349[I] dated 04/08/2025)

ORDER
IN
CRL OP(MD) No.12441 of 2025
Date :01/08/2025

SBN/25.08.2025 5P/5C

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