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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12804 of 2025

Prasannakumar,
S/o.Govindaraj, : Petitioner/A1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
PettaiPolice Station,
Tirunelveli District.
(Crime No.204 of 2025) : Respondent/Complainant

For Petitioner : Mr.Ganga Raj,
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.204 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351(3) of BNS and Section 4 of TNPHW Act, in Crime No.204 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the house owner. Due to landlord and tenant dispute, there arose wordy quarrel between the petitioner and the defacto complainant. Consequent to the same, on 14.07.2025, the petitioner along with other accused persons abused the defacto complainant in filthy language and attacked him with sickle and caused injuries and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide any conditions that may by imposed by this Court. The petitioner is not having any previous case. He seeks anticipatory bail.

4.The learned Government Advocate (Criminal Side) submitted that there are

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totally three accused persons. The petitioner/A1 is the son of A2 and A3. The accused persons resided in the house of the defacto complainant, subsequently, on demand of the complainant, they have vacated the house. Due to that motive, on 14.07.2025., the petitioner along with her parents/A2 and A3 abused the defacto complainant in filthy language and also attacked him with stick and caused injuries. Injured was discharged from the hospital. The petitioner is not having any previous case. He further submitted that A2 and A3 were already got anticipatory bail by the learned Principal Sessions Judge, Tirunelveli in Cr.M.P.No.3333 of 2025.

5. Considering the facts and circumstances of the case, and taking into account of the fact that the injured was discharged from the hospital and the petitioner is not having any bad antecedents and also taking note of the fact that the co-accused/ A2 and A3 were already got anticipatory bail by the learned Principal Sessions Judge, Tirunelveli and the occurrence had taken place on 14.07.2025, 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 his arrest or on his appearance, within a period of fifteen days from the date of

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receipt of a copy of this order, before the learned Judicial Magistrate No.V, Tirunelveli, 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.V, Tirunelveli, 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 mobile number to the learned Judicial Magistrate No.V, Tirunelveli. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.V, Tirunelveli;

(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

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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/-
31/07/2025

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

DAS
TO

1 The Judicial Magistrate No.V,
Tirunelveli.

2 Do Through
The Chief Judicial Magistrate,
Tirunelveli District.

3 The Inspector of Police,
Pettaipolice Station,
Tirunelveli District.

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

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+1 CC to M/s.B.GANGA RAJ, Advocate (SR-8276[I] dated 01/08/2025)

ORDER
IN
CRL OP(MD) No.12804 of 2025
Date :31/07/2025

NM/20.08.2025/ 6P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023