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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD)No.12924 of 2025

1.A.Muneeswaran,
S/o.Ammasi @ Ammavasai.

2.Muniyammal,
W/o.Ammasi @ Ammavasai.

3.Ammasi @ Ammavasai.
S/o.Irulan : Petitioners/A1 to A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.329 of 2025) : Respondent/Complainant

For Petitioners : Mr.C.Asaithambi,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

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PRAYER :-

For Anticipatory Bail in Crime No.329 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 74, 133 and 351(3) of BNS, in Crime No.329 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner/A1 is the son of petitioners 2 and 3/A2 and A3. The defacto complainant is the wife of the first petitioner/A1. Due to some misunderstanding between them, the defacto complainant left the matrimonial home. During compromise meeting held between the families of both parties, the petitioners/accused allegedly abused the defacto complainant using filthy language and assaulted her by pulling her hair, kicking her, and threatening her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. The first petitioner and the defacto complainant have been living separately for the past two months due to some misunderstanding. Due to that motive, the petitioners

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have been falsely implicated in this case. He further submits that the petitioners are ready and willing to abide any conditions that may be imposed by this Court and seek anticipatory bail.

4. The learned Government Advocate (Criminal Side) for the respondent police submits that there was a matrimonial dispute between the first petitioner and the defacto complainant. During compromise talk, the petitioners abused the defacto complainant in filthy language and also assaulted her and threatened her with dire consequences. He further submits that the injured sustained simple injuries and the counter case in Crime No.330 of 2025 has been registered against the defacto complainant's family members. The petitioners are not having any previous cases.

5. Considering the facts and circumstances of the case and also the facts that there existed family dispute between the parties and the injured treated as an outpatient, the petitioners are not having any previous case for similar or serious offence and taking note of the fact that it is a case and counter case, 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 their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District on condition that the petitioners shall execute a

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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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District and on further conditions 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, Thiruppuvanam, Sivagangai District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(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

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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/-
05/08/2025

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

das

TO

1.The Judicial Magistrate,
Thiruppuvanam, Sivagangai District.

2.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

ORDER
IN
CRL OP(MD) No.12924 of 2025
Date :05/08/2025

HPS/29.08.2025 5P/4C

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

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