

CRL OP(MD).No.13053 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.13053 of 2025

and

CRL MP(MD).No.10825 of 2025

Durai

... Petitioner/ Accused

Vs

State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.341 of 2025)

... Respondent/ Complainant

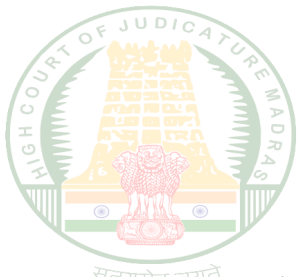
For Petitioner : Mr.M.Mahendra Prabhu

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

For Intervenor : Mr.R.Venkatesan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

**PRAYER :- For Anticipatory Bail in Crime No.341 of 2025 on the file of the
Respondent Police.**



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ORDER : The Court made the following order :-

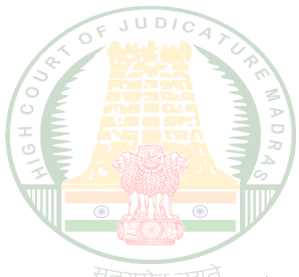
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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, in Crime No.341 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Practicing Advocate before the Sivagangai District Court. Further, the petitioner's wife approached the defacto complainant for lodge the complaint against her husband/petitioner in connection with illegal intimacy with another women. Due to which, the dispute arose between the petitioner and the defacto complainant and thereafter on 28.07.2025 at about 02.00 p.m., the petitioner along with other accused persons came in the Maruthi car bearing Registration No. TN 59 CT 8247 and attempted to kill the defacto complainant and abused him in filthy language and attacked him and caused injuries. Hence,the complaint.

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

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



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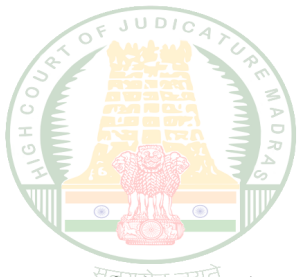
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petitioner had attacked the defacto complainant in front of the people and escaped from the spot. He further submitted that the entire incidents have been recorded in the CCTV camera and the injured person was treated as out-patient and there are two previous cases pending against the petitioner and the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the Intervenor/defacto complainant submitted that the petitioner had attacked the defacto complainant and caused injuries. He further submitted that if the petitioner is released on bail, he may abscond and tamper the witnesses. Hence, he objected for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the injured person was treated as out-patient and the investigation has been almost completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 receipt of a copy of this order, before the Judicial Magistrate, Thiruppuvanam, 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



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of the Judicial Magistrate, Thiruppuvanam, and on further conditions that:

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(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;

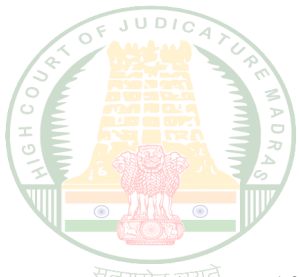
(b) the petitioner shall furnish his residential address and mobile number to the Judicial Magistrate, Thiruppuvanam. In the event of any change in his residential address, the petitioner shall report the same to the Judicial Magistrate, Thiruppuvanam.

(c) the petitioner shall stay at Tirunelveli and sign before the Inspector of Police, Palayamkottai, daily at 10.00 a.m., and 05.00 p.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



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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.

8. Accordingly, this Criminal Original Petition is allowed and CrI.MP (MD).No.10825 of 2025 is closed. No costs.

sd/-
13/08/2025

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

msrm
TO

- 1 The Judicial Magistrate, Thiruppuvanam.
- 2 The Inspector of Police, Thiruppuvanam Police Station, Sivagnagai District.
- 3 The Inspector of Police, Palayamkottai.
- 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.VENKATESAN, Advocate (SR-8903[I] dated 18/08/2025)



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ORDER

IN

CRL OP(MD) No.13053 of 2025

Date :13/08/2025

NBF/SAR- /28/08/2025/ 6P/6C

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