



CRL OP(MD). No.13467 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 13/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13467 of 2025

Sivan,
S/o.Periyamuniyandi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Checkanoorani Police Station,
Madurai District.
(Crime No.202 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Sakthi Rao G,
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.202 of 2025 on the file of the Respondent Police.



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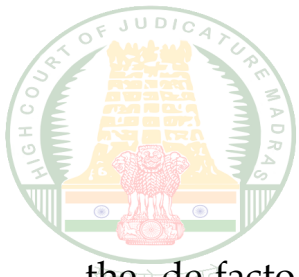
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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 356, 79 and 296(b) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.202 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a civil suit is pending between the petitioner and the de-facto complainant in O.S.No.125 of 2025 on the file of the District Court, Madurai. On 16.07.2025, the petitioner allegedly pasted a poster defaming the de-facto complainant by affixing her photograph and stating that she had committed forgery in three ways. It is further alleged that the petitioner outraged the modesty of the de-facto complainant. Hence, a case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He further submitted that due to previous enmity arising out of a civil and monetary dispute,



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the de-facto complainant has lodged the present false complaint against the petitioner. He also 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 (Criminal Side) submitted that the petitioner is the sole accused in this case. He further submitted that the issue pertains to a civil dispute. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of the offence, and taking note of the fact that the issue pertains to a civil dispute, and that as the date of registration of FIR is 20.07.2025, by this time material part of the investigation might have been completed, and that already a civil suit is pending between the parties, this Court is of the view that custodial interrogation of the petitioner is not necessary. Hence, 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



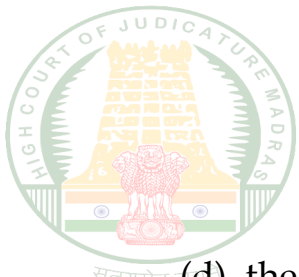
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the order copy made ready, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Usilampatti, Madurai 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 No.II, Usilampatti, Madurai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Usilampatti, Madurai District;

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



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(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/-
13/08/2025

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/09/2025
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 No.II,
Usilampatti,
Madurai.
- 2 The Inspector of Police,
Checkanoorani Police Station,
Madurai District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.13467 of 2025
Date :13/08/2025

NM/02.09.2025/ 6P/4C

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