

CRL OP(MD). No.15050 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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M.Subakaran,
S/o.Murugesan, .. Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Susheendram Police Station,
Kanyakumari District.
(Crime No.not known of 2025)
.. Respondent/Complainant

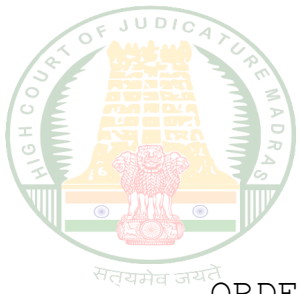
For Petitioner :Mr.T.Seeni Syed Amma
Advocate

For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Crime No.not known of
2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296, 115(2), 351(3) of BNS, 2023 in Crime No.not known of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that this petitioner abused the defacto-complainant with filthy language and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police lodged a false case against this petitioner. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity, this petitioner abused the defacto-complainant with filthy language and threatened with dire consequences. Due civil dispute, the said occurrence was happened between the parties. At the time of occurrence, no one sustained any injury. In this case, investigation is not yet completed. There is no previous case against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the prima facie allegations seems to be civil dispute, there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on anticipatory 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 learned Judicial Magistrate No.III, Nagercoil, Kanyakumari 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari 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;



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(b) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari;

(c) the petitioner shall appear and sign before the respondent police daily at 10.30a.m. for the period of one week and thereafter the petitioner shall appear before the respondent police as and when required for interrogation.

(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;



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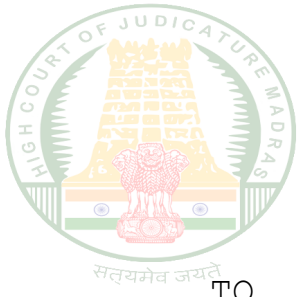
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(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by 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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

(S S Y J)
11.09.2025

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1. The Judicial Magistrate No.III,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Susheendram Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S. SRIMATHY, J

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ORDER
IN
CRL OP (MD) No.15050 of 2025

Dated : 11/09/2025