

CRL OP(MD). No.15051 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP (MD) .No.15051 of 2025

S.Shanmugavel,
S/o.Sankarasubbu, .. Petitioner/Accused
No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.654 of 2025)

.. Respondent/Complainant

For Petitioner :Mr.M.Anantha Devi
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.654 of 2025
on the file of the Respondent Police.



CRL OP(MD). No.15051 of 2025

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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 61(2), 329(4), 296(b), 351(3) of BNS and 3(1) of TamilNadu Public Property (Prevention of Damage & Loss) Act, 1992 in Crime No. 654 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the parties with regard to the participation of tender. Due to business motive, this petitioner and his henchmen trespassed into the house of the defacto-complainant and damaged the household articles and threatened with dire consequences. Hence, the case.



CRL OP(MD). No.15051 of 2025

WEB COPY

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.

4. The learned Government Advocate (Criminal Side) would submit due to previous this petitioner and other accused persons were illegally entered into the house of the defacto-complainant and damaged the household articles. 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.



CRL OP(MD). No.15051 of 2025

WEB COPY

5. Considering the facts and circumstances of the case there is no previous case against the petitioner, 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 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.1, Thoothukudi 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.1, Thoothukudi and on further conditions that:



CRL OP(MD). No.15051 of 2025

WEB COPY

(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 make a non-refundable deposit of **Rs.5000/- (Rupees Five Thousand only)** to the credit of the **Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, Madurai, Account No.496039124, IFSC Code.IDIB000H040, Indian Bank, High Court Branch, Madurai**, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.1, Thoothukudi. In the event of any change in his residential



CRL OP(MD). No.15051 of 2025

WEB COPY

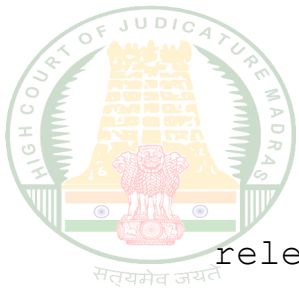
address, the petitioner shall report the same to
the learned Judicial Magistrate No.1,
Thoothukudi;

(d) the petitioner shall appear before the
respondent police as and when required for
interrogation.

(e) the petitioner shall not tamper with
evidence or witness either during investigation
or trial;

(f) the petitioner shall not abscond either
during investigation or trial;

(g) 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



CRL OP(MD). No.15051 of 2025

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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;

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

(S S Y J)
12.09.2025

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TO

1. The Judicial Magistrate No.1,
Thoothukudi.
2. The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.15051 of 2025

S. SRIMATHY, J

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ORDER
IN
CRL OP (MD) No.15051 of 2025

Dated : 12/09/2025