



CRL OP(MD). No.16489 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.16489 of 2025

1. M.Syed Ahamed Shiek Jassim @ Jasim

2. M.Huthaiba @ Heithaifa

... Petitioners/A-2 & 3

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Melapalayam Police Station,
Tirunelveli.
(Crime No.297 of 2024)

... Respondent/Complainant

For Petitioners : Mr.R.J.Karthick

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl. Side)



CRL OP(MD). No.16489 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.297 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 296(b), 115(2), 140(2), 140(3), 308(2) and 351(3) of BNS, 2023, in Crime No.297 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have stolen gold ornaments from the defacto complainant's house and also kidnapped the defacto complainant and threatened with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.



CRL OP(MD). No.16489 of 2025

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioners have stolen gold ornaments from the defacto complainant's house and also kidnapped the defacto complainant and threatened with dire consequences

5. Taking into consideration the facts and circumstances of the case and since the petitioners have complied with the condition imposed in the interim anticipatory bail regularly, the interim anticipatory bail already granted is made absolute and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Tirunelveli on condition that the petitioners shall execute a 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



CRL OP(MD). No.16489 of 2025

Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) 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 petitioners 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;



CRL OP(MD). No.16489 of 2025

WEB COPY

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

(S S Y J)
31.10.2025

jbr

To

1. The Judicial Magistrate No.V, Tirunelveli
2. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.16489 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.16489 of 2025

Date : 31.10.2025