



CRL OP(MD). No.16450 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Sham @ Duwell Sam
2. Vijayaragavan

... Petitioners/A-3 & 4

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
(Crime No.233 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Srikanth

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.233 of 2025 on the file of the respondent police.

1/6



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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 329(4), 296(b), 115(2), 324(4) and 351(2) of BNS, 2023, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.233 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on 20.08.2025, at about 5.40 p.m., A-1 attacked one Saravanan and left the spot. Again, at about 5.50 p.m., A-1, along with other accused persons, trespassed into the hotel of the defacto complainant and attacked the defacto complainant, her two sons, and her employees. 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.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent Police submits that the injured has been discharged from the hospital. He further submitted that no previous case is pending against the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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.VI, Madurai, 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 Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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. They have to co-operate for the investigation;

(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;



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(f) if the accused thereafter abscond, a fresh FIR can be

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(S S Y J)
26.09.2025

jbr

To

1. The Judicial Magistrate No.VI,
Madurai.
2. The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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