



CRL OP(MD). No.18084 of 2025

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

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Date : 16.10.2025

PRESENT
THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Esakimuthu

.. Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep., by The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(Crime No.508 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.Venkatesh

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.508 of 2025 on the file of the respondent police.

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 192, 352 & 353(2) of BNS, in Crime No.508 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner had posted a video in the face book with his photograph by holding Aruval in the hand with some back ground song, which would create hater among the people of different community by causing fear in the mind of the people who saw the same and hence, a case was registered by the respondent police. Hence, this petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submitted that the investigation is almost completed and there are no previous cases pending against the petitioner and the injured has been discharged from hospital. However, he opposed to grant anticipatory bail to the petitioner.



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5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with 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 the order copy made ready, before the learned Judicial Magistrate No.III, Tirunelveli, 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.III, Tirunelveli, 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 is directed to remove the said posting in the face book and file an affidavit before the respondent police affirming that he will not post such things in future;



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[c] the petitioner shall report before the Dean, Government Hospital, Tirunelveli, at 10.30 a.m., and do social service at the Government Hospital, Tirunelveli, for one week and then, the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required;

(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.

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To

1. The Judicial Magistrate No.III,
Tirunelveli.

2.The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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