



CRL OP(MD). No.18376 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 18376 of 2025

Jayahari Prasath

..Petitioner

Vs

State Of Tamilnadu,

Rep By The Inspector of Police,
Devakottai Town Police Station,

Sivagangai District.

(Crime No.4 of 2025)

Respondent (s)

For Petitioner(s) :

Mr.R.Gandhi
Senior Counsel
for M/s.Ajmal Associates

For Respondent(s) : Mr.Veera Kathiravan,
Additional Advocate General
Assisted by

Mr.E.Antony Sahaya prabahar
Additional Public Prosecutor

For intervener : Mr.G.THiruvarut Selvan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4 of 2025 on
the file of the Respondent Police.

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ORDER : The Court made the following order :-

WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 194 of BNSS, 2023 @ Section 238 of BNS, 2023, in Crime No.4 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the husband of the deceased. On 03.01.2025, at about 09.00 a.m., the deceased went Menakshi Hospital, Devakottai. Thereafter, the nurse on duty informed as the deceased was suffering from cough and cold. Consequently, she was administered two injections initially, and while a third injection was being given, she experienced difficulty in breathing and died on the spot. Hence, a case was registered.



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WEB COPY 3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that in order to settle the issue, he was mediating between both the parties. Further, one of the nurse has given a false statement to the respondent Police alleging that the petitione has coerced her to accept the above prosecution case. On the basis of the same, the respondent Police has altered the offence under Section 238 of BNS and the implicated the petitioner as one of the accused. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Additional Advocate General submitted that the petitioner is the legal



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counsel for the Meenakshi Privae Hospital,
Devakottai. The petitioner herein tried to
compromise between the parties and intimidated
the defacto complainant. However, he opposed to
grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and
circumstances of the case, the nature of the
offence and the interim anticipatory bail already
granted is made absolute, 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 of receipt of a copy of this order,
before the learned Judicial Magistrate,
Devakottai, Sivagangai District, on condition
that the petitioner shall execute a bond for a



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sum of Rs.10,000/- (Rupees Ten Thousand only)

with 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, Devakottai, Sivagangai District, 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 shall furnish his residential address and mobile number to the learned Judicial Magistrate, Devakottai, Sivagangai District,. In the event of any change in his residential address, the petitioner shall



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report the same to the learned Judicial
Magistrate, Devakottai, Sivagangai District;

(c) the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders. The petitioner shall not interfere in the investigation, intimidate the defacto complainant or any person regarding the case. He shall stay away from this case itself;

(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



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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.

23.10.2025

vsg



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To

1.The learned Judicial Magistrate, Devakottai,
Sivagangai District .

2. The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

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



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S. SRIMATHY. J. ,

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Date : 23.10.2025