



CRL OP(MD). No.18785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD). No.18785 of 2025

1.Sembukutti @ Kuttisamy
2.Ganesh @ Muthu Ganesh

...Petitioners/ Accused

Vs

The State of Tamil Nadu
Rep by the Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District
(Crime No.456 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Muthuram

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.456 of 2025 on the file of the respondent police.



CRL OP(MD). No.18785 of 2025

ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), & 351(3) of BNS (under Sections 149, 294(b) & 506(ii) of IPC) and Section 4 of TNPHW Act and Section 3 of TNPPDL Act, in Crime No. 456 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons had entered into the house of the defacto complainant and abused him in filthy language and threatened the defacto complainant and his wife and damaged the bike belonging to the defacto complainant. Hence, the complaint.

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



CRL OP(MD). No.18785 of 2025

4. The learned Government Advocate (Crl. side) submitted that there is no previous case pending against the 1st petitioner and there is one previous case pending against the 2nd petitioner. He further submitted that on one was sustained injuries. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also the fact that no one was sustained injuries, and there was a civil dispute between the parties and if the petitioners are directed to deposit some amount to the credit of crime number, and the same would suffice to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District, on condition that each of the petitioner shall execute a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties, each for a like



CRL OP(MD). No.18785 of 2025

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 Court, Cheranmahadevi, Tirunelveli District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 are directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Crime No.456 of 2025 before the learned Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District. On such deposit, the learned Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District, shall accept the sureties furnished by the petitioners. After receipt of entire amount, the learned Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District, shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.456 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.



CRL OP(MD). No.18785 of 2025

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(c) the petitioners shall report before the respondent police as and when required for interrogation.

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

(e) the petitioners 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 petitioners 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;

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

(S S Y J)
28.10.2025

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CRL OP(MD). No.18785 of 2025

To
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1. The learned Judicial Magistrate Court,
Cheranmahadevi, Tirunelveli District.
2. The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.18785 of 2025

S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.18785 of 2025**

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