



CRL OP(MD). No.18872 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Thenmalai Thenkumaran

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.412 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.D.Ganeshamoorthi,
Advocate

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

For Intervenor : Mr.R.Anand,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.412 of 2025 on the file of
the Respondent Police.



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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 74, 351(3) of BNS r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.412 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had abused the de-facto complainant in filthy language and threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that there are 9 previous cases pending against the petitioner and he is a history sheet. He further submitted that the complaints were preferred by the de-facto complainant alone. However, he opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the intervenor/de-facto complainant submitted that the petitioner had abused the de-facto complainant in filthy language and threatened her. He further submitted that there are 13 previous cases pending against the petitioner. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, and also the fact that the petitioner has complied with the conditions imposed in the interim anticipatory bail regularly, the interim anticipatory bail granted to the petitioner by this Court on 29.10.2025 is made absolute, and this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Judicial Magistrate No.III, Thoothukudi, Thoothukudi District, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions 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 Aadhaar card or bank pass book to ensure their identity;

[b] 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 for interrogation;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



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[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 petitioner is 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

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

8. Accordingly, this Criminal Original Petition is allowed.

mkn

(S S Y J)
17.12.2025



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1. The Judicial Magistrate Court No.III,
Thoothukudi, Thoothukudi District.
2. The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD). No.18872 of 2025**

17.12.2025