



CRL OP(MD). No.19147 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.11.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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1. A.Sandhanamahalingam

2. K.Selvi

... Petitioners/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.
(Crime No.42 of 2025)

... Respondent/Complainant

For Petitioners : Mr.T.Guru Sundar

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.42 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303 of BNS, in Crime No.42 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had stolen 48 batteries of the cell phone tower bearing the marking INDUS2V600AH BATTERY situated at Kattukudipatti, Singampunari Taluk, Singampunari District. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that co-accused had already been granted bail by the Judicial Magistrate Court, Singampunari, in Crl.M.P.No.172 of 2025 dated 19.05.2025. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there six previous cases pending against the 1st petitioner and three previous cases pending against the 2nd petitioner. He further submitted that the property has been recovered. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioners, subject to 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, Singampunari, on condition that each of the petitioner shall execute a separate 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,



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Singampunari, 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 1st petitioner shall make a non refundable deposit of Rs.15,000/- (Rupees Fifteen Thousand only) and 2nd petitioner shall make a non-refundable deposit of Rs.5,000/-(Rupees Five Thousand only) to the credit of the Tamil Nadu Advocate's Welfare Fund, Trustee Committee, Tamil Nadu & Puducherry, Account No.V00047, Indian Bank, High Court Branch, IFSC Code IDIB000M157, without prejudice to their contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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



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(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)
03.11.2025

msrm

To

- 1.The learned Judicial Magistrate,
Singampunari.
- 2.The Inspector of Police,
Ulagampatti 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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**ORDER
IN
CRL OP(MD) No.19147 of 2025**

03.11.2025