



CRL OP(MD). No.19649 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 07/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.19649 of 2025

Suresh,
S/o.Mariappan

... Petitioner/A2

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District.
(Crime No.403 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate

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.403 of 2025 on the file of
the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.19649 of 2025

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3(5), 296(b), 109(1), and 351(3) of BNS r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.403 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours. During the time of Diwali celebration, the petitioner and his friends were bursting firecrackers, some pieces were scattered in front of the defacto complainant and when the same was questioned by the defacto complainant, the petitioner and others attacked the defacto complainant and abused his sister. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offences as alleged by the prosecution. He further submitted that already there is a dispute regarding common wall of the house of the petitioner and the defacto complainant, and hence, the petitioner has been falsely implicated in this case. He further submitted that the petitioner is ready



CRL OP(MD). No.19649 of 2025

and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are simple injuries. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that already there is a dispute between the parties and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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.II, Thoothukudi, 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 as and when required;

[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;

[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



CRL OP(MD). No.19649 of 2025

WEB COPY

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

07.11.2025

PJL

To

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



WEB COPY



CRL OP(MD). No.19649 of 2025

S.SRIMATHY,J

PJL

**ORDER
IN
CRL OP(MD). No.19649 of 2025**

07.11.2025