



CRL OP(MD). No.20649 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/11/2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

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1.Mariyappan

2.Vairamuthu

..Petitioners/(Rank not known)

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nagaiyapuram Police Station,
Nagaiyapuram District.
(Crime No.45 of 2025)

.. Respondent/Complainant

For petitioners : Mr.T.Vadivelan
Advocate

For Respondent : M/s.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.45 of 2025 on
the file of the Respondent Police.



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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 331(4) and 305 of BNS, in Crime No.45 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners went to the temple before sunrise and stole temple properties, including a bell, mic set, amplifier, and other items. Hence, the complaint.

3. The learned counsel for the petitioners would submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the A-5 and A-6 have already been granted bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor



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submitted that the petitioners stole temple properties worth Rs.35,000/-. He further submitted A-1 and A-2 have one previous case pending against them, that A-3 and A-4 have already been arrested, and that A-5 and A-6 have already been arrested and released on bail. Therefore, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the fact that some of the co-accused have already been released on bail, 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 anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Peraiyur, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two



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learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioners shall appear and sign 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;

(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;



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

(S S Y J)
19.11.2025

jbr

TO

- 1.The learned District Munsif cum
Judicial Magistrate, Peraiyur
- 2.The Inspector of Police,
Nagaiyapuram Police Station,
Nagaiyapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S. SRIMARTHY, J

jbr

ORDER
IN
CRL OP (MD) No.20649 of 2025

Dated : 19/11/2025