



CRL OP(MD). No.20853 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.20853 of 2025

Hamsath Thony

... Petitioner/ Accused No. 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.220 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.Subbiah

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.220 of 2021 on the file of the respondent police.

1/6



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 and 506(1) of IPC, Corresponding Sections 296, 324(a) and 351(1) (2) of BNSS, 2023, in Crime No.220 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that due to previous motive, the petitioner and other accused person came to the house of the defacto complainant, abused in filthy language before the locked house. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused has already been granted bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the



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respondent Police submitted that the petitioner and other accused person came to the house of the defacto complainant, abused in filthy language before the locked house and damaged the CCTV Camera. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the co-accused has already been granted bail and also considering the fact that the crime number is of the year 2021, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders. He has to co-operate for the investigation;

(c) the petitioner shall not tamper with 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 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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(f) if the accused thereafter abscond, a fresh FIR can be

registered under Section 269 of BNS 2023.

(S S Y J)
21.11.2025

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To

1. The Judicial Magistrate, Valliyoor.
2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli 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
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