



CRL OP(MD). No.20886 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Sithaiya Bharathi @ Siddaiya Bharathi
2. Jegatheeswaran @ Jagetheeswaran

... Petitioners/A-1 & 2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.636 of 2025)

... Respondent/Complainant

For Petitioners : Mr.Manikandan.A

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



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ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 118(2) and 351(3) of BNS, 2023, in Crime No.636 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on 19.10.2025, at about 09.00 p.m., the petitioners and the other accused persons took clothes from the shop and left without paying for them. When the same was questioned, they returned the clothes to the defacto complainant. Subsequently, at about 10.15 p.m., when the defacto complainant was walking near Sivakasi, Mariamman Temple, Theppakulam, the petitioners and the other accused persons waylaid him, abused him in filthy language, assaulted him with their hands and an iron rod, thereby causing injuries, and further threatened to kill him. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any



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offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that A-1 has two previous cases and A-1 has no previous case. He further submitted that the injured has been discharged from the hospital.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with



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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:

(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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required for investigation.

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

(d) the petitioners 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*



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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

jbr

To

1. The Judicial Magistrate No.II,
Sivakasi, Virudhunagar District.
2. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar 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
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