



CRL OP(MD). No.20978 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.20978 of 2025

1. Arun @ Arun Prince

2. Essakimuthu ... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi.
(Crime No.72 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Venkatesh

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



CRL OP(MD). No.20978 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.72 of 2024 on the file of the respondent police.

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 49, 191(2), 296(b), 351(2) of BNS, subsequently altered as Sections 126(2), 296(b) and 351(2) of BNS, 2023 and Section 4 of TNPHW Act, in Crime No.72 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to a wordy quarrel regarding a sewage canal, the petitioners and other accused persons threatened the defacto complainant. 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



CRL OP(MD). No.20978 of 2025

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

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that due to a wordy quarrel regarding a sewage canal, the petitioners and other accused persons attacked the defacto complainant and threatened him. He further submitted that there was no injury.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that there was no injury, 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 No.II, Srivaikundam, Thoothukudi, on condition that the petitioner shall execute a bond for a



CRL OP(MD). No.20978 of 2025

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:

(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 as and when required for 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*



CRL OP(MD). No.20978 of 2025

Kerala [(2005) AIR SCW 5560]; and;

WEB COPY

(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,
Srivaikundam, Thoothukudi.
2. The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.20978 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.20978 of 2025

Date : 21.11.2025