



CRL OP(MD). No.21001 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Thamban

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Murapanadu Police Station,
Tuticorin District.
(Crime No.402 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.402 of 2025 on the file of the
respondent police.



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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 296(b), 121(1), 132, 115(2), 118(1), 351(3) of BNS, 2023 r/w. Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.402 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused persons were consuming liquor on a public road and creating nuisance to the public. When the police officials questioned them, the accused persons abused them in filthy language, assaulted the police with centering iron rods, caused injuries, damaged the Government patrol vehicle, and threatened the police personnel with dire consequences. 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 A-1 has already



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been granted bail and A-2 has granted anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner and others consumed liquor on a public road and created nuisance. When the same was questioned by the police officials, they abused and assaulted the police with centering rods, caused simple injuries, damaged the patrol vehicle, and threatened them. Therefore, he opposed the grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the co-accused have already been granted bail, 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



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order, before the learned Judicial Magistrate No.I, Srivaikundam, Tuticorin District, 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:

(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 stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy, daily at 10.30 a.m and 5.30 p.m., until further orders.

(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



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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;

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

(S S Y J)
24.11.2025

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To

1. The Judicial Magistrate No.I,
Srivaikundam, Tuticorin District.
2. The Inspector of Police,
Murapanadu Police Station,
Tuticorin 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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