



CRL OP(MD). No.21320 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.11.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Munis Kumar

... Petitioner

Vs

The State of Tamil Nadu,
Rep by The Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District.
(Crime No.706 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan,
Advocate

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.706 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 learned counsel for the petitioner submitted that he has mentioned the Section wrongly as 294(b) of BNS instead of Section 296(b) of BNS. Hence, he seeks amendment in the order copy. Accordingly the corrected section is incorporated in this order.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 296(b), 115(2), 351(2) BNS and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1993 in Crime No.706 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is an Auto driver and he claims that he is the owner of the property situated in Survey No.85/24 in Poopandiappuram, Thoothukudi and he has got the the land by virtue of a civil decree. At this juncture, it is alleged that the petitioner and other accused persons trespassed into the land and damaged the lock and entrance gate of the above property and had quarrel with him and also threatened the defacto complainant and attacked him using hands. Hence, the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioner has no previous cases and co-accused was already granted anticipatory bail. She further submitted that the injured has already been discharged from the hospital. However, she opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the fact that the injured has already been discharged from the hospital and the petitioner has no previous cases and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court No.II, Thoothukudi, 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 the police officer who intends to arrest or to the satisfaction of the Judicial Magistrate Court No.II, Thoothukudi, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 daily at 10.30 a.m, for one week and thereafter, as and when required for interrogation;

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



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(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 petitioner 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

25.11.2025

PJL

To

1. The Judicial Magistrate Court No.II, Thoothukudi.
- 2.The Inspector of Police,
Thalamuthu Police Station, Thoothukudi 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
CRL OP(MD) No.21320 of 2025**

Date : 25.11.2025