



CRL OP(MD). No.21454 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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S.Esakkimuthu,
S/o.Subbaiah

... Petitioner/A16

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(Crime No.453 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Ananthamurugan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.453 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 petitioner/A16, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 296(B), 109(1), and 351(3) of BNS, 2023 r/w. Section 3 of TNPPDL Act, in Crime No.453 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is residing in Manakkarai Village, Srivaikundam Taluk, Thoothukudi District. On 12.11.2025 due to previous enmity, the petitioners and others unlawfully assembled and caused damages to the two wheeler and four wheeler belonged to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offences as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner has seven previous cases and injured has already been discharged from the hospital. He further submitted that it is a case and case in counter. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital and inspite of the petitioner is having seven previous cases, and also it is a case and case in counter, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Judicial Magistrate, Srivaikundam, within a period of fifteen days from the date on which the order copy is made ready 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 Aadhaar 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;

[c] the petitioner shall not tamper with the 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 petitioner is 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 absconds, a fresh FIR
can be registered under Section 269 of BNS.

26.11.2025

PJL

To

- 1.The Judicial Magistrate,
Srivaikundam.
- 2.The Inspector of Police,
Murappanadu 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.21454 of 2025**

26.11.2025