



CRL OP(MD). No.21978 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Palaniyappan
2. Krishnamoorthy
3. Vellaisamy

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Embal Police Station,
Pudukkottai District.
(Crime No.21 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Khari Khara Das.K

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.21 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 329(4), 324(4) and 303(2) of BNS, in Crime No.21 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, due to previous enmity regarding a civil dispute, the petitioners damaged the properties of the defacto complainant and committed theft of 10 cement bags, 6 spades, 2 crowbars, boundary stones, iron fencing, and other articles belonging to the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent Police submitted that the offence committed by the accused are serious in nature. Therefore, he opposed the grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of offence, 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 District Munsif cum Judicial Magistrate, Avudaiyarkovil, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each 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:



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(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 petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only), to the credit of Crime No.21 of 2025 before the learned District Munsif cum Judicial Magistrate. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.21 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

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

(e) the petitioners shall not abscond either during investigation or trial;



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

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

(S S Y J)
28.11.2025

jbr

TO

1. The District Munsif cum Judicial Magistrate,
Avudaiyarkovil.
2. The Inspector of Police,
Embal Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

jbr

ORDER
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