



CRL OP(MD). No.22273 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.22273 of 2025

Ashyu Vijayan

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
District Crime Branch,
Nagercoil,
Kanniyakumari District.
(Crime No.34 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.R.Dharani Chander

For Respondent : Mr..Antony Sahaya Prabahar
Additional Public Prosecutors

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.34 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 Sections 318(4), 351(2) and 351(3) of BNS, in Crime No.34 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had given a sum of Rs.50,00,000/- to the petitioner. When the defacto complainant demanded the return of the said amount, the petitioner allegedly 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 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 the offences committed by the accused



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are serious in nature and that A-1 and A-2 have already been arrested and are still in custody Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the nature of the offence and also considering the specific overt act against the petitioner that he threatened the defacto complainant, 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 on which the order copy made ready, before the learned Judicial Magistrate, Nagercoil, 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:



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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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police every Saturday and Sunday at 10:30 a.m., for a period of two weeks and thereafter 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 Kerala [(2005) AIR SCW 5560]*; and;



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

(S S Y J)
04.12.2025

jbr

To

1. The Judicial Magistrate, Nagercoil.
2. The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.22273 of 2025

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