



CRL OP(MD). No.22356 of 2025

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 329(3), 315(3) of BNS, and Section 4 TNPWH Act, in Crime No.199 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive, the petitioners along with other accused persons trespassed into the defacto complainant's mother's house and abused them in filthy language and assaulted the defacto complainant's minor son and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.



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4. The learned counsel appearing for the intervenor strongly objected to grant anticipatory bail to the petitioners and further submitted that it is not a case of simple injury and the petitioners assaulted the child using bricks and stones and caused serious injuries.

5. The learned Government Advocate (Criminal Side) submitted that the child was not treated at all and there is no injury to the child and the other persons were injured and it is a simply injury and they were treated as outpatient. However, he opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of the



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petitioner shall execute a bond for a sum of Rs.

10,000/- (Rupees Ten Thousand only) with single surety each for a like sum to the satisfaction of the learned Judge, Additional Mahila Court, Theni, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[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 Aadhaar card or bank pass book to ensure their identity;

[b] **the 4th petitioner shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai at 10.30 a.m, until further orders; and considering the age, the other petitioners shall report before the respondent police as and when required for interrogation;**



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[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05.12.2025



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S. SRIMATHY, J.

PJL

TO

1. The Judge, Additional Mahila Court, Theni.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Inspector of Police,
Allinagaram Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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Date : 05/12/2025