



CRL OP(MD). No.23051 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.23051 of 2025

Manojkamalam

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Crime No.433 of 2025..

... Respondent/Complainant

For Petitioner : SC.Herold Singh,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-38AB. For Anticipatory Bail in Crime No.
433 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-



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WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 324(5) and 351(2) of BNS 2023, in Crime No.433 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with others came into the defacto complainant's property and demolished the house situated in the said property with the help of JCB and the value of the damage is Rs.5,00,000/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. 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 to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that the no previous case is pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, 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, Eraniel, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakhs only) to the credit of Crime No.433 of 2025 before the learned Judicial Magistrate, Eraniel. On such deposit, the learned Judicial Magistrate, Earniel, shall accept the sureties furnished by the petitioner. After receipt of entire amount, the learned 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.433 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.



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If the petitioner failed to deposit the amount, the anticipatory bail will be vacated automatically;

[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];



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

16.12.2025

PJL

TO

1. Judicial Magistrate, Eraniel.
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District.
3. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
4. 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.23051 of 2025

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