



CRL OP(MD)No.23513 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CrI.O.P.(MD)No.23513 of 2025

Kesava Rao

...Petitioner/Accused No.2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
(Crime No.253 of 2025)

.. Respondent/Complainant

For Petitioner : M/s.Gopala Krishna Lakshmana Raju
Senior Advocate for M/s.P.Aju Tagore

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.253 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 281, 125(a) of BNS Act and the case was @ 109 of BNS Act in Crime No.253 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 13.10.2025, the defacto complainant was going to his uncle's death and he buried his deceased uncle. After that, the defacto complainant and his uncle and his brothers went for bathing at Katla urani. Thereafter, they all are consuming alcohol near the bridge at uranikarai at about 08.30 pm, and unidentified vehicle coming from the a direction of Chokkanathapuram hit them and drove away. The defacto complainant fell nearby water and with help of the his friends he lifted up and he suffered a swelling injury in his hip and his uncle suffered a blood injury on the left side of his head and ear His friends took them in 108 ambulance and admitted for the treatment and later they have taken them to the Sivagangai Government Hospital for further treatment. Hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has never committed in this case. He further



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submits that A1 was released on bail. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the injured has not been discharged. However, he opposed to grant 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.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, 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 Judicial Magistrate No.II, Sivagangai and on further conditions that:

(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;



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(b) the petitioner shall furnish his residential address and contact number to the learned learned Judicial Magistrate No.II, Sivagangai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Sivagangai.

(c) the petitioner shall appear before the respondent police daily morning at 10.30 a.m., and evening at 5.30 p.m. until further orders.

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

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

(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 petitioner 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.

18.12.2025

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S.SRIMATHY,J

RJR

To

1. The learned Judicial Magistrate No.II,
Sivagangai.

2. The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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