



CRL OP(MD). No.23914 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/12/2025

PRESENT

The HONOURABLE MR. JUSTICE **M. JOTHIRAMAN**

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1. Amala

2. Shankar

... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Swamimalai Police Station,
Thanjavur District,
Crime No.533/2025.

... Respondent/Complainant

For Petitioner : Mr.D. Rajaboopathy,

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.533/2025 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 and 4, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 115(2), 118(1) and 351(3) BNS, 2023 in Crime No.533 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 21.04.2025, the defacto complainant went to the first petitioner's house. Due to previous motive, the first petitioner's son and other accused quarreled with the defacto complainant, assaulted him and threatened him with dire consequences. Hence the case was registered.

3. The learned Counsel for the petitioners would submit that the petitioners did not involved in any of the offences as alleged by the prosecution. The petitioners are innocent and they are implicated in this



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case. Due to previous enmity between the defacto-complainant and the accused persons, the said occurrence was happened. The petitioners were falsely implicated in the present case. In this case, injured persons were discharged from hospital. It is a case and counter case.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police on instructions, would submit that due to previous enmity between the defacto-complainant and the accused persons, the occurrence was happened. There is one counter case pending investigation before the respondent police. In this case, injured person was discharged from hospital. He would further submit that no previous case is pending against the petitioners.

5. Considering the nature of the allegations and considering the fact that there is counter case pending before the respondent police and the injured person in the present case was discharged from hospital and also considering that there is no previous case pending against the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.II, Kumbakonam, Thanjavur District**, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police **every Monday and Friday at 10.30 a.m. until further orders.**

[c] the petitioners shall not tamper with 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



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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 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 2023.

(M J R J)
26.12.2025

LR

TO

1. The Judicial Magistrate NO.II,
Kumbakonam, Thanjavur District.
2. The Inspector of Police,
Swamimalai Police Station,
Thanjavur District,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M. JOTHIRAMAN,J

LR

**ORDER
IN
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Date : 26/12/2025