



CRL OP(MD)No.23934 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.12.2025

PRESENT

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD) . No.23934 of 2025

1.Sridhar
2.Packiam
3.Pandiyaraja
4.Srinivasan
5.Muthirulayi ... petitioners

Vs

State of Tamil Nadu through
Rep. by its The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.288 of 2025) ... Respondent

For petitioners : M/s.S.Sandhiya Jothi

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS, 2023

PRAYER :-

For Anticipatory bail in Cr.No.288 of 2025
on the file of the respondent police.

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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 329(4), 324(4), 296(b), 115(2) 118(1), 302(2) & 351 (3) BNS, 2023 r/w. Section 4 of TNPHW Act, in Cr.No.288 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, the petitioners abused the defacto complainant in filthy language and threatened her with dire consequence and also attacked her and caused injuries.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. In this case, the injured has been discharged from the hospital.



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4. The learned Government Advocate (Crl.side) appearing for the respondent police, on instructions, would submit that due to family dispute, the petitioners had abused the defacto-complainant and threatened her with dire consequences and also assaulted her. The injured has been discharged from the hospital. He would further submit that the petitioners are not having any previous case. However, he prays to dismiss this Criminal Original Petition.

5. It is also stated that the defacto complainant has filed divorce petition seeking dissolution of marriage in HMOP.No.284 of 2024 before the Sub Court, Thirumangalam. Similarly, the husband has also filed a petition for restitution of conjugal rights in HMOP.No.322 of 2024 before the Family Court, Sivagangai. It is further stated that the defacto complainant has filed transfer application before this Court in Tr.CMP.(MD)No.188 of 2025 and the proceedings has been stayed by this Court.



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6. Considering the nature of the allegations and considering the fact that the injured has been discharged from the hospital and that there is no previous case against the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. Accordingly, this Petition is allowed and 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, Madurai 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



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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 weekly twice ie. on 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 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].



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[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

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TO

1.The Judicial Magistrate,
Madurai District

2.The The Inspector of Police,
Austinpatti Police Station,
Madurai District.

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



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M. JOTHIRAMAN, J.

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