



CRL OP(MD). No.23983 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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Fazil ... Petitioner  
Vs

State of TamilNadu rep. by  
The Inspector of Police,  
All Women Police Station,  
Thirupathur,  
Sivagangai District.  
(Crime No.28 of 2025) ... Respondent

For Petitioner : Mr.Riyas Ahamed

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of  
BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.28 of 2025 on  
the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehend  
arrest at the hands of the respondent police for



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the offences punishable under sections 85, 115(2) and 351(3) of BNS, 2023, in Crime No.28 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. The petitioner refused to come to the house and when it was questioned by the Defacto Complainant, he stated that he had illicit relationship with one Rahmath Nisha and caused simple hurt to the defacto complainant and also criminally intimidated her. After that incident, the petitioner had took away the bike, car, 48 sovereigns of gold of the defacto complainant and also Rs.1,85,000/- from her. Hence the complaint.

3. The learned Counsel for the petitioner would submit that there was matrimonial dispute between the defacto-complainant and the petitioner. Due to which, the defacto-complainant



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lodged a false complaint against the petitioner.

The petitioner is not involved in any of the offences as alleged by the prosecution. The petitioner is innocent and he is falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that due to matrimonial differences between the petitioner and the defacto complainant, the petitioner attacked the defacto complainant and caused simple hurt to her. Hence, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of allegations and the relationship of the parties, this Court is inclined to grant an order of anticipatory bail to the petitioner with certain conditions:



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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Thirupathur, on condition that the petitioner shall execute separate 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 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 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.

[b] the petitioner shall report before the respondent Police daily at 10.30a.m.until further



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orders.

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[c] the petitioner shall not tamper with 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 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 abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(M J R J)  
26.12.2025

Sn/Indu



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TO

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- 1.The Judicial Magistrate Court,  
Thirupathur.
- 2.The Inspector of Police,  
All Women Police Station,  
Thirupathur,  
Sivagangai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M. JOTHIRAMAN, J**

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ORDER  
IN  
CRL OP (MD) No.23983 of 2025

Dated : 26.12.2025