



CRL OP(MD)No.24000 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.24000 of 2025

1. Alphonse Mary  
2. Stephanraj  
3. Ashviya ... Petitioners

Vs

The State through  
The Inspector of Police,  
Thiruchitrambalam Police Station,  
Thanjavur District. ... Respondent

For Petitioners: Mr.S.Gurumoorthy

For Respondent : Mr.A.S.Abul Kalaam Azad,  
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory bail in Cr.No.378 of 2025  
on the file of the respondent police.

1/7



CRL OP(MD)No.24000 of 2025

WEB COPY ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 74, 296(b), 329(4) and 351(2) of BNS, in Crime No.378 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The petitioners and the defacto complainant are relatives. The case of the prosecution is that there is a civil dispute between the parties. On 02.12.2025, at 2.00 p.m., when the petitioners tried to break open the gate, the defacto complainant questioned the same, due to which, the petitioners abused the defacto complainant and also threatened her. Hence, the case.



CRL OP(MD)No.24000 of 2025

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submits that the petitioners and the defacto complainant are relatives and there is a civil dispute between the parties. On the date of occurrence, when the petitioners tried to break open the gate, the defacto complainant questioned the same, due to which, the petitioners abused the defacto complainant and also threatened her. He



CRL OP(MD)No.24000 of 2025

further submits that no one has been injured in the alleged occurrence.

5.Considering the nature of allegations and also considering the fact that the petitioners and the defacto complainant are neighbours and no one has been injured in the alleged occurrence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original 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 learned District Munsif cum Judicial Magistrate Court No.II, Peravurani, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)each with



CRL OP(MD)No.24000 of 2025

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 weekly twice, ie.on every Monday and Friday at 10.30a.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



CRL OP(MD)No.24000 of 2025

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

ogy/Ls

TO

1. The District Munsif cum Judicial  
Magistrate No.II,  
Peravurani.
2. The Inspector of Police,  
Thiruchitrambalam Police Station,  
Thanjavur District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



CRL OP(MD)No.24000 of 2025

**M. JOTHIRAMAN, J**

ogy/Ls

CRL.OP (MD) No.24000 of 2025

26.12.2025