



CRL OP(MD). No.88 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.01.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. B.Senthilkumar
2. B.S.Praveen

... Petitioners/Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Anjugramam Police Station,
Kanniyakumari District.
(Crime No.365 of 2025)

... Respondent/Complainant

For Petitioners : Mr.H.Mohammed Imran
for M/S.Ajmal Associates

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.365 of 2025 on the file of the
respondent police.

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ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 108 of BNS, 2023, in Crime No.365 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, there was a scuffle between the first petitioner's brother and the deceased. The first petitioner and the second petitioner, who is the son of the first petitioner, intervened in the dispute. On account of the same, the deceased allegedly committed suicide by consuming oleander seeds. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted due to previous enmity, a scuffle occurred



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between the first petitioner's brother and the deceased, and following the intervention of the petitioners, the deceased allegedly committed suicide by consuming oleander seeds. He further submitted that A-2 has one previous case pending against him and A-1 has no previous case. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the age of the second petitioner and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Nagercoil, Kanniyakumari 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 daily 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 petitioner 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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
06.01.2026

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To

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1. The Judicial Magistrate No.III,
Nagercoil, Kanniyakumari District.
2. The Inspector of Police,
Anjugramam Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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