



CRL OP(MD). No.119 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Mariswaran

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Surandai Police Station,
Tenkasi District.
Crime No.429/2025.

... Respondent/Complainant

For Petitioner : A.Balaji,
Advocate.

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

PRAYER :-

C-38AB For Anticipatory Bail in Crime No.
429/2025 on the file of the respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 118(1) and 351(3) of BNS, 2023, (corresponding sections 448, 324 and 506(ii) of IPC), in Crime No.429 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons have trespassed into the house of the defacto complainant and tried to make robbery in the defacto complainant's house at 3.15 a.m on 19.09.2025, at that time when the defacto complainant intercepted, they assaulted the defacto complainant with iron rod and attacked his wife and children and also threatened with dire consequences and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person



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and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the injured person has been discharged from the hospital and there are 4 previous cases pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten



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Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Alangulam, within a period of fifteen days from the date on which the order copy is made ready and on further conditions 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of four weeks and thereafter as and when required for interrogation;

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioner shall not abscond either during investigation or trial;



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[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 is 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.

08.01.2026

PJL

TO

1. Judicial Magistrate, Alangulam.
2. The Inspector of Police,
Surandai Police Station,
Tenkasi 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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