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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.01.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.197 of 2026

Sujish ... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Colachel Police Station,
Kanniyakumari District.
(Crime No.356 of 2025) ... Respondent/Complainant

For Petitioner : Mr.S.Ramakrishnan

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.356 of 2025 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 118(1) & 351(3) of BNS, in Crime No.356 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 24.12.2025 at about 8.00 p.m., while the petitioner was standing near his house at Senam Vilai Junction, the defacto complainant crossed the petitioner. The petitioner, in an intoxicated state, allegedly scolded the defacto complainant using filthy language, threatened him with a deadly weapon, assaulted him with his hands, and further threatened to cause the death of the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the offences committed by the accused are serious in nature. He further submitted that the injured was treated as an outpatient and that one previous case is pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the injured was treated as an outpatient, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Eraniel, Kanniyakumari District, on condition that the petitioner shall execute a 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

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or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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 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;

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

(S S Y J)
07.01.2026

jbr

To

1. The Judicial Magistrate,
   Eraniel, Kanniyakumari District.

2. The Inspector of Police,
   Colachel Police Station,
   Kanniyakumari District.

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

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S.SRIMATHY,J.

jbr

ORDER
IN
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