



CRL OP(MD). No.396 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/01/2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.396 of 2026

1. Michal Jebamalai Jackson,  
2. Mark Arokia Rekson, ... Petitioners

Vs.

State of Tamilnadu Rep by  
Inspector of Police,  
Tharuvaikulam Police Station,  
Thoothukudi.  
(Crime No. 155 of 2025).

... Respondent

PRAYER :- For Anticipatory Bail in Crime No. 155 of 2025 on the file of the respondent Police.

For Petitioners : Mr. Briston Romario J.,  
Advocate.

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

### **ORDER**

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, in Crime No.155 of 2025 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners had stolen the boat engine and net of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the the petitioners are having one previous case, which is similar in nature and the investigation is pending and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the stolen properties are recovered, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of the petitioners shall execute a separate 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 District Munsif cum Judicial Magistrate, Ottapidaram, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions 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 Aadhaar card or bank pass book to ensure their identity;

**[b] the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation.**

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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.

**09.01.2026**

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TO

1. The District Munsif cum Judicial Magistrate,  
Ottapidaram
- 2.The Inspector of Police,  
Tharuvaikulam Police Station,  
Thoothukudi.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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S.SRIMATHY,J

LS

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IN  
CRL OP(MD) No.396 of 2026

Date : 09/01/2026