



CRL OP(MD). No.675 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.675 of 2026

Ghousebasha @ Ghouse @ Rafi

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
SS Colony Police Station,
Madurai District.
Crime No.05 of 2026.

... Respondent/Complainant

For Petitioner : V.Vishnu
Advocate.

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

PRAYER :-

C-38AB. For Anticipatory Bail in Crime No.05 of
2026 on the file of the Respondent Police

ORDER : The Court made the following order :-



CRL OP(MD). No.675 of 2026

WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 324(2) of BNS 2023 and Section 3(1) of TNPPDL Act, in Crime No.05 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is residing at California in America and he came to know that his house has been trespassed and damaged by the accused persons. Hence, the complaint.

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



CRL OP(MD). No.675 of 2026

WEB COPY 4. The learned Government Advocate (Crl. side) 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 Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.5, Madurai, 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



WEB COPY



CRL OP(MD). No.675 of 2026

the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No. 05 of 2026 before the learned Judicial Magistrate No.5, Madurai at the time of furnishing sureties and on such deposit, the learned Magistrate shall accept the sureties; and the learned Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment; **if any default in payment, the anticipatory bail granted**



WEB COPY



CRL OP(MD). No.675 of 2026

will be automatically dismissed;

**[c] the petitioner shall report
before the respondent police daily at
10.30 a.m, until further orders;**

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

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

[f]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];

[g]If the accused thereafter



CRL OP(MD). No.675 of 2026

absconds, a fresh FIR can be registered
under Section 269 of BNS.

WEB COPY

18.02.2026

PJL

TO

1. Judicial Magistrate No.5, Madurai.
2. The Inspector of Police,
SS Colony Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.675 of 2026

S.SRIMATHY, J

PJL

ORDER
IN
CRL OP (MD) No.675 of 2026

Date : 18/02/2026