



CRL OP(MD). No.1078 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 22/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Mohammed Anisha
2. Syed Ali Fathima

... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
Crime No.731 of 2025.

... Respondent/Complainant

For Petitioners : Mr. Dhilipan Pandian R L,
Advocate.

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

For intervenor : Mr. V. Kasiraja

PRAYER :-

For Anticipatory Bail in Crime no.731 of 2025 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the



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respondent police for the offences punishable under Sections 189(3), 126(2), 296(b), 351(3) and 49 of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.731 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute the petitioners herein are said to have trespassed into the property belonging to the defacto complainant and caused damages to the Kambiveli and Thakara sheet. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners and the counsel for intervenor and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. The allegation against the petitioners is that they engaged some unknown persons to demolish the superstructures. However, the names of the petitioners do not find place in the FIR, and the matter is a case



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and counter-case.

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5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed and if the petitioners are directed to deposit a sum of Rs.10,000/- each to the credit of crime number, the same would suffice to grant anticipatory bail to the petitioner, with other conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court, Tirunelveli, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or



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Bank pass Book to ensure their identity;

(b) the petitioners are directed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.731 of 2025 before the learned Additional Mahila Court, Tirunelveli. On such deposit, the learned Additional Mahila Judge, Tirunelveli, shall accept the sureties furnished by the petitioners. Thereafter, the learned Additional Mahila Court, Tirunelveli, 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 in the case in Crime No.731 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioners shall report before the respondent police daily at 10.30 am for a period of one week and thereafter, as and when required for interrogation.

(d) It is made clear that if the petitioners in the counter-case file an application for anticipatory bail, they shall deposit the said amount.

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;



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(f) the petitioners shall not abscond either during investigation or trial;

(g) 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 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;

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

(S S Y J)
22.01.2026

TRP
TO

1. The Additional Mahila Court, Tirunelveli,
2. The Inspector of Police, Thalaisyuthu Police Station, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

S.SRIMATHY,J

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ORDER
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