



CRL OP(MD), No.2955 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.02.2026

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.2955 of 2026

V.Thamotharan

... Petitioner/ Accused

Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.57 of 2026)

... Respondent

For Petitioner : Mr.P.Balamurugan

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act
2023.

PRAYER :-For Anticipatory Bail in Crime No.57 of 2026 on the file of
the Respondent Police.



CRL OP(MD), No.2955 of 2026

ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316 of BNS 2023, in Crime No.57 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The prosecution's case is that the petitioner along with other accused persons had stolen 26 kgs of rice bags. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that there are no previous case pending against the petitioner and the property has been recovered. However, he vehemently opposed to grant anticipatory bail to the petitioner.



CRL OP(MD), No.2955 of 2026

5. Considering the facts and circumstances of the case and also the fact that the property has been recovered and the petitioner has only received the stolen goods, 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 Court, Tiruchendur, Thoothukudi District, within a period of fifteen days from the date on which the order copy was 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 two weeks and thereafter, as and when required for interrogation.



CRL OP(MD), No.2955 of 2026

[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.

[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.

(S S Y J)
12.02.2026

msrm



CRL OP(MD), No.2955 of 2026

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To

1. The Judicial Magistrate Court,
Tiruchendur, Thoothukudi District.
2. The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.2955 of 2026

S.SRIMATHY,J

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**ORDER
IN
CRL OP(MD). No.2955 of 2026**

12.02.2026