



CRL OP(MD). No.4126 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Hari @ Hariharasudhan

2. Nanthish @ Nithishkumar ... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
Cr.No.39 of 2026.

... Respondent/Complainant

For Petitioners : Mr.R.Yeswanth

For Respondent : Mr.S.S.Manoj,

Government Advocate (Crl.Side)

For Intervenor/

Defacto complainant : Mr.R.Rajasekran

PRAYER :-

C-33AB.For Anticipatory Bail in Cr.No.39 of 2026
on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 351(3) & 303(2) of BNS, in Crime No.39 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused and the defacto complainant belonged to two different political parties. The allegation against the petitioners is they posted defamatory and obscene content about the rival party when the same was questioned the petitioners along with other accused persons have abused the defacto complainant in filthy language and attacked using iron rod and iron dustbin and caused severe injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any



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conditions which may be imposed by this Court.

Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that totally there are 10 accused in this crime. The 1st petitioner has one previous case and it is a case and case in counter. He further submitted that the injured has been discharged from hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also the fact that the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like

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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 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 make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) each, to the credit of the Head Master, Corporation Sethupathi Pandithurai Higher Secondary School, Railway Colony, Madurai, in SBI Account No.30033864969, IFSC No.SBIN0008167; CIF No:85019457624; State Bank of India, Karimedu (Madurai) Branch, 44, REX Centre, Gnanaolipuram, Madurai District. This fund shall be**



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utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under 'Namakku Naame' Scheme. **On such deposit being made, the learned Magistrate shall accept the sureties furnished by the petitioner;**

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

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

[e]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned



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

25.02.2026

PJL

TO

1. Judicial Magistrate No.5, Madurai.

2.The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.

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

4. The Head Master,
Corporation Sethupathi Pandithurai Higher Secondary
School,
Railway Colony, Madurai.



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S.SRIMATHY, J

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ORDER
IN
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