



CRL OP(MD). No.5354 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Aandi

2.Kandapandian

... Petitioners / A1 and A2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
(Crime No.187 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.187 of 2026 on the file of the respondent police or on their appearance.

For Petitioners : Mr.M.Veeravelpandi

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police in Crime No.187 of 2026 for the offences punishable under Sections 109(1), 115(2), 118(1), 296(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, seek anticipatory bail.

2. The case of the prosecution is that on 07.03.2025 at about 11.00 p.m., the petitioner, along with some other accused persons, was standing near the fish shop of the defacto complainant and using abusive language. When the defacto complainant questioned the same, the accused persons allegedly brandished an aruval, abused the defacto complainant in filthy language, and assaulted him, causing injuries. Thereafter, the injured was admitted to the hospital for treatment. Accordingly, a case has been registered against the petitioners for the aforesaid offences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that the injured has



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already been discharged from the hospital. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the first petitioner has seven previous cases and the second petitioner has two previous cases against them. He further submitted that the injured has been discharged from the hospital. However, he objected to the grant of anticipatory bail to the petitioners.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case, the fact that the injured has already been discharged from the hospital, and also taking note of the previous antecedents of 1st petitioner, this Court is inclined to grant anticipatory bail to the second petitioner alone, subject to certain conditions.



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7. Accordingly, this petition is allowed insofar as the second petitioner is concerned and dismissed as withdrawn insofar as the first petitioner is concerned. The second petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Ambasamudram, on condition that the second 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 respondent police or the police officer who intends to arrest him or to the satisfaction of the learned Magistrate concerned, and on further conditions that:

(a) the second 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the second petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders;

(c) the second petitioner shall not tamper with evidence or witness either during investigation or trial;



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(d) the second 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 petitioners in accordance with law as if the conditions have been imposed and the petitioner 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

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

16.03.2026

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To

- 1.The Judicial Magistrate Court,
Ambasamuthiram.
- 2.The Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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