



CRL OP(MD). No.7050 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 29/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7050 of 2026

Anand David

... Petitioner/ Accused No.5

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District,
Crime No.270/2025.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.270/2025 on the file of the
respondent police

For Petitioner : Suresh P.,
Advocate.

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

ORDER : The Court made the following order :-



CRL OP(MD), No.7050 of 2026

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 194 of BNSS @ 191(2), 296(b) and 103(1) of BNS, 2023, in Crime No.270 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the father of the deceased and the accused and the deceased are friends. The deceased used to consume alcohol with his friends, who are the petitioner herein and other accused. On 18.07.2025, after consuming alcohol together, the deceased further consumed alcohol from the liquor bottles, which were kept in the cover of his bike's petrol tank and when the same was demanded by the petitioner and other accused, the deceased refused to give the same. Hence, they assaulted the deceased by pulling him down from his bike, kicking him, and then laying him in a nearby temple. When the same was informed to the defacto complainant through phone. Immediately, the deceased was taken to the private hospital and thereafter, he was shifted to the Government Medical College Hospital, Asaripallam, where the doctors declared that he had died. Hence, the case.



CRL OP(MD), No.7050 of 2026

WEB COPY

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that no previous case is pending against the petitioner and the co-accused (A1 to A4) were already arrested and released on bail. Therefore, prayed to grant anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there was a wordy quarrel arose between the accused and the deceased in consuming alcohol. Due to which, the petitioner attacked the deceased brutally and caused death to him and the offence is grave in nature. Hence, he opposed to grant anticipatory bail to the petitioner. He would further submit that no previous case is pending against the petitioner and the co-accused were already arrested and released on bail.

5. This Court heard both sides and perused the materials available on record.



WEB COPY

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and even according to the prosecution, due to the scuffle between the parties, the alleged occurrence was happened and no previous case is pending against the petitioner and the co-accused were arrested and released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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.II, Nagercoil**, and on further conditions that:

[b] the petitioner shall report before the Jurisdictional Magistrate on all working days at 10.30 a.m until further orders;

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the



WEB COPY



CRL OP(MD), No.7050 of 2026

learned Judicial 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 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

29.04.2026

dss

To

- 1.The Judicial Magistrate No.II, Nagercoil,
- 2.The Inspector of Police,
Vadaseri Police Station,Kanyakumari District,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD), No.7050 of 2026

P. DHANABAL,J

dss

ORDER
IN
CRL OP(MD) No.7050 of 2026

Date : 29/04/2026