



CRL OP(MD). No.9686 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD)No.9686 of 2026

1. Madasamy

2. Sankaranainar Alais Arumuga Nainar

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thoothukudi South Police Station,
Thoothukkudi District.
(Crime No. 565 of 2026).

... Respondent/Complainant

For Petitioners : Mahesh Saravanan.N,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No. 565
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 296(b)& 351(3) of BNS, 2023 and Section 3(1) of the Tamilnadu Public Property (Prevention of Damage and Loss) Act, in Crime No.565 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners along with other accused persons have abused the defacto complainant in filthy language and damaged the fencing put up in his property using JCB machine and also criminally intimidated him. 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 conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) submitted that no previous case is pending against the petitioners and there was no injury and the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and since there was no injury, 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 sum to the satisfaction of the learned Judicial Magistrate No.I, Thoothukudi, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:



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[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 report before the respondent police weekly once, ie., on every Monday at 10.30 a.m, until further orders;

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

[d]the petitioners 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 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];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

(R V J)
20.05.2026

PJL

TO

1. The Judicial Magistrate No.I,
Thoothukudi.
2. The Inspector of Police,
Thoothukudi South Police Station,
Thoothukkudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J

PJL

ORDER
IN
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