



CRL OP(MD). No.10170 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Nithish Kumar,
S/o.Ganeshan,
No.2/23, Vannathaan Street,
Manamadurai Taluk,
Sivagangai District..

... Petitioner/Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Cr.No.165 of 2026..

... Respondent/Complainant

For Petitioner : Mr.N.Jeyaram Sidharth,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS



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PRAYER :- C-8AB. For Anticipatory Bail in Cr.No.165 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 109(1), 311 and 351(3) of BNS, 2023, r/w Section 4 of TNPHW Act, 2002, in Crime No.165 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during the temple festival, on 24.04.2026, the petitioner and other accused persons stalled the defacto complainant and his family members and attacked with Aruval and threatened them and snatched 35 sovereigns of gold and vivo smartphone from the defacto complainant's family. Hence, the complaint.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case and he is no way connected in the above said incident. He would further submit that he is not a named accused and based on the confession of the co-accused, he was arrayed as accused in this case. He would further submit that the the co-accused was granted anticipatory by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police fairly submits that the injured persons have been discharged from the hospital and the petitioner has no previous cases. He would further submit that the investigation is pending and the offences are grave in nature. Hence, he opposes to grant anticipatory bail to the petitioner.



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6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and there was a dispute during the temple festival and also considering the fact that no previous cases pending against the petitioner and the injured persons have been discharged from the hospital and based on the confession of the co-accused, he was arrayed as accused and the co-accused was granted anticipatory bail by this Court, 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the



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date on which the order copy made ready,
before the **Judicial Magistrate Court,**
Elayangudi, 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 concerned and on further
conditions that:

**[b] the petitioner shall report
before the respondent police daily 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.



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

(P D B J)
04.06.2026

vsg



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TO

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



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P. DHANABAL, J.,

vsg

ORDER
IN
CRL OP(MD) No.10170 of 2026

Date : 04/06/2026