



CRL OP(MD). No. 11049 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.06.2026

PRESENT

THE HONOURABLE **MR. JUSTICE P. DHANABAL**

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1.V.Jimson

2.Georgewashington

...Petitioners/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

(Crime No.82 of 2026) ..Respondent

For Petitioners :Mr.S.Sivakumar

For Respondent :Mr.N.Balasubramanian

Counsel for State of TN

(Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.82 of
2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

WEB COPY The petitioners/Accused, who apprehend arrest at the hands of the respondent for the offences punishable under Section 303(2) of BNS, 2023, in Crime No.82 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.05.2026 due to ban period of fishing, when the defacto complainant stopped his boat inside of the Eraumandurai, the petitioners along with the other accused persons stolen the goods kept inside the boat. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. Hence, he prays to grant anticipatory bail to the petitioners.



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WEB COPY 4. The learned Counsel for State of TN (Crl.

Side) appearing for the respondent Police would submit that the second petitioner has not been arrayed as accused in this case. He would further submit that the investigation is pending and the offences are grave in nature and the first petitioner has five previous cases. Hence, he opposes to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Since the second petitioner has not been arrayed as accused in this case and no case is pending against the second petitioner, this Criminal Original Petition stands closed in respect of the second petitioner.



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7. Considering the rival submissions on either side and the nature of offences charged against the petitioners and the alleged occurrence took place on 28.05.2026, the FIR has been registered only on 02.06.2026, even according to the prosecution only based on the information given by one Methin, the defacto complainant came to know about the occurrence, but, so far the statement of the above said Methin has not been recorded by the respondent and though the first petitioner has five previous cases, the same are not similar kind of offences and in all cases, bail was granted to him and the co-accused was already granted anticipatory bail by this Court and considering the all other factors, I am inclined to grant anticipatory bail to the first petitioner, subject to the following conditions:

[a] Accordingly, this petition is partly allowed and the first petitioner



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is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kuzhithurai, on condition that the first 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 first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

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



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

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

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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].



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[g] If the accused/ first petitioner
WEB COPY thereafter absconds, a fresh FIR can be
registered under Section 269 B.N.S.

(P D B J)

15.06.2026

vsg

To

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



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P. DHANABAL, J.,

vsg

ORDER
IN
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