



CRL OP(MD). No.21341 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.21341 of 2025

and

CRL MP(MD)NO.1440 of 2026

1. Sudha

2. Ananthdurai

... Petitioners/Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
District Crime Branch (DCB),
Thoothukudi.

(Crime No.38 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Chinna Ponnu

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.38 of 2025 on the file of the



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respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(1) of IPC. in Crime No.38 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant paid Rs.3,00,000/- to the accused in the year 2022 to get a TASMAL bar licence. The accused told that they knew higher officials in TASMAL and would arrange the licence. However, no licence was obtained for the defacto complainant, and the said amount was not returned. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the defacto complainant paid Rs.3,00,000/- to the accused in 2022 to obtain a TASMALC bar licence. The accused failed to get the licence and did not return the money. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and since the petitioners had complied with the condition imposed in the interim anticipatory bail, the interim anticipatory bail already granted is made absolute and this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.IV, Thoothukudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police



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Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for investigation;

(c) the petitioners shall not tamper with 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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;



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

7. Consequently, connected miscellaneous petition is closed.

(S S Y J)
23.01.2026
1/2

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To

1. The Judicial Magistrate No.IV, Thoothukudi.
2. The Inspector of Police,
District Crime Branch (DCB)
Thoothukudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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