



CRL OP(MD)No.23965 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.01.2026

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

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1. Shareef @ Sulaiman Shareef

2. Rasool Mydeen

... Petitioners/
Accused No.2 &5

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Melapalayam Police Station,
Tirunelveli City,
In Crime No.367 of 2025

... Respondent/
Complainant

For Petitioners : Mr.C.Susikumar

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.367 of 2025 on the file of the
Respondent Police.

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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 329(4), 296(b), 118(1), 351(3) and 49 of BNS Act, in Crime No.367 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the other accused persons had abused the defacto complainant in filthy language and also threatened him and caused injuries. Hence, the present case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the case in counter and the victim has been discharged from hospital



and the investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the second petitioner is having 13 previous cases. Hence the learned counsel for the petitioner seeks permission of this Court that this petition is dismissed as withdrawn in respect of the second petitioner. Therefore, this Court is inclined to grant anticipatory bail to the first petitioner alone, subject to certain conditions.

6. Accordingly, the first petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.V, Tirunelveli, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli, and on further conditions that:



(a) the first petitioner 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 first petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

(c) the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first petitioner 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 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]*; and;

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



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7. This Criminal Original Petition is allowed in respect of the first petitioner and dismissed in respect of the second petitioner alone.

(S S Y J)
07.01.2026

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TO

1. The Judicial Magistrate No.V,
Tirunelveli.
1. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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