



Crl.O.P.(MD)No.23145 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 23145 of 2024

1.T.Siva Krishnan

2.Anu Radha

... Petitioners

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kottar Police Station,
Kanniyakumari District.
(Crime No.380 of 2024)

...Respondents/Complainant

For Petitioners : Mr.K.P.Narayanakumar
Advocate.

For Respondent : Mr.M.P.Kottai Chamy
Government Advocate (Crl. side)

For Intervenor : Mr.Suresh Manickam for Mr.R.J.Karthick
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 380 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for



Crl.O.P.(MD)No.23145 of 2024

the offences punishable under Sections 316(2), 126, 296(b), 323, 351(3) of BNS, in Crime No.380 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Secretary of Arulmigu Devi Sri Mutharamman Temple. The petitioners are former President of the above said temple. Due to previous dispute in conducting the temple festival, between the parties, the Revenue Divisional Officer, concerned formed a new trust. Therefore, the present office bearers asked the old members to produce the documents and jewels belongs to the temple. But, the petitioners did not hand over the same. Due to the above said dispute, the petitioners attacked the defacto complainant with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they were falsely implicated in this case and they are in no way connected in the above said incident. They have not committed any offence as alleged by the prosecution. Due to previous dispute, the petitioners have been falsely implicated in this case. There was a complaint against the defacto complainant stating that he has misappropriated the funds of the temple. Hence, 107 proceedings have been initiated against him by appointing an Auditor.



Crl.O.P.(MD)No.23145 of 2024

Pending proceedings, without settling the misappropriated funds, simply they asked the jewels and documents. The dispute is civil in nature. Hence, he prays to grant Anticipatory Bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submits that the offences are grave in nature. The petitioners are the then President of the temple and misappropriated the funds. Already the matter is pending before the Mediation Centre. The first petitioner was already arrested and released on bail. The second petitioner is his wife. Revenue Divisional Officer's proceedings were also initiated in this case. Hence, he opposed the grant of anticipatory bail to the petitioners. Investigation is also still pending.

5. The learned counsel appearing for the intervenor would submit that mediation is pending for Auditor's Report. The defacto complainant is a newly elected President of temple. A1 misappropriated the funds of the temple. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

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

7. Considering the rival submissions on either side, that already A1, who



Crl.O.P.(MD)No.23145 of 2024

is the main accused, was arrested and released on bail, this petition stands dismissed as against the first petitioner.

8.Considering the rival submissions on either side and nature of allegations levelled against the second petitioner, who is none other than the wife of the main accused and she is not in any specific posting in the temple and there is dispute between the parties in respect of administration of the temple, according to the prosecution main allegation was against the first petitioner, who was arrested and subsequently released on bail, no previous case against the A2, the alleged date of occurrence took place in the year 2024, and also considering all the facts and circumstances of the case, I am inclined to grant anticipatory bail to the second petitioner, subject to the following conditions:

[a] Accordingly, the second petitioner is ordered to be released on anticipatory bail on condition to 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.II, Nagercoil, Kanniyakumari District** and on further conditions that:

[b] the second petitioner shall report before the respondent police at 10.30 p.m., on every Saturday until further orders;



Crl.O.P.(MD)No.23145 of 2024

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

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

[e] the second 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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)
15.04.2026

TM

To

1.The Judicial Magistrate No.II, Nagercoil, Kanniyakumari District.



Crl.O.P.(MD)No.23145 of 2024

2.The Inspector of Police,
Kottar Police Station,
Kanniyakumari District.
(Crime No.380 of 2024)

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.23145 of 2024

P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 23145 of 2024

Date : 15.04.2026