



CRL OP(MD). No.1466 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1466 of 2025

Paulraj @ Palraj,
S/o.Esakki,
D.No.8 of 39,Thenikulam,
Rajagopalapuram,
Ramayanpatti,
Tirunelveli District..

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.152 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Suresh Manickam,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

<https://www.mhc.tn.gov.in/judis> PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime no.152 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 23.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 467, 468, 471, 472 and 420 of the Indian Penal Code, 1860 (Act No.45 of 1860) in Crime No.152 of 2024 on the file of the respondent police.

3. The case of the prosecution is that on 27.02.2024, at about 14:30 hours, based on the complaint given by the officer of the Adi Dravidar Welfare Department, the respondent Police registered a First Information Report against the petitioner and other accused persons. The allegation against the petitioner is that the petitioner, along with other accused persons, fabricated the patta and executed a sale deed in favour of the villagers. The property in question originally belonged to the Adi Dravidar Welfare Department.

4. Mr.S.Suresh Manickam, learned counsel appearing for the petitioner submits

that the petitioner is an innocent person and he has not committed any offence as

<https://www.mhc.tn.gov.in/judis>



alleged by the prosecution. He would further submit that a false case has been registered against the petitioner. He would further submit that there are totally four accused persons in this case and the petitioner has been arrayed as Accused No.2. He would further submit that the petitioner is willing to abide by any conditions imposed by this Court. He would further submit that the petitioner is ready to cooperate with the investigation carried out by the respondent police. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent Police submits that this Court has already granted pre-arrest bail to Accused No.1 in Crl.O.P.(MD).No.10106 of 2024 by an order dated 15.07.2024. He would further submit that Accused Nos.3 and 4 have already been arrested and enlarged on bail. He would further submit that there is one previous case against the petitioner and the same is not similar in nature. Hence, he vehemently opposed the grant of pre-arrest bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has a permanent residence and deep roots in the society and hence, there is less possibility of absconding and considering the undertaking given by the petitioner that he is ready to co-operate with the investigation and in order to afford one more opportunity to the petitioner to reform himself in the society, this



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Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.V, Tirunelveli, within a period of 15 days from today, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the Judicial Magistrate No.V, Tirunelveli.

(ii) Thereafter, the petitioner shall appear and sign before the respondent Police every Monday, Wednesday and Friday at 10.00 a.m., until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to -The Criminal Rules of Practice, 2019]. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residence address and mobile number to the learned Judicial Magistrate No.V, Tirunelveli.

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vi) On breach of any of the aforementioned conditions, the Judicial Magistrate



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No.V, Tirunelveli, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
03/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.1466 of 2025
Date :03/02/2025

SA/SKN/SAR. /18.02.2025/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.