



CRL OP(MD). No.1615 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1615 of 2025

and

CRL MP(MD) No.1906 of 2025

Rajendran

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.10 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.M.S.Jeyakarthik
for Mr.D.Rajasekar,

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

For Intervener : Mr.D.Venkatesh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No. 10 of 2025 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 24.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 praying to grant an order of pre-arrest bail.

2. The petitioner/Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhita (BNS) 2023 in Crime No.10 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is a practicing Advocate. On 21.01.2025, at about 10:20 a.m., when the defacto complainant was going to Court, the accused persons intercepted the defacto complainant and threatened him not to give evidence as against the brothers of the Accused No.1, in criminal case in C.C.No. 95 of 2021, on the file of the Judicial Magistrate Court,

Kadaladi. Further, the accused persons abused the defacto complainant in filthy



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language and also attacked him with iron rod and wooden log and broke the defacto complainant's hand. Moreover, the accused persons caused life threat to the defacto complainant with dire consequences. Hence, this case.

4. Mr.S.Jeyakarthik, the learned counsel appearing for the petitioner, submits that the petitioner/ A1 is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that there are totally two accused persons in this case and accused No.2 was arrested and released on bail. He further submits that the petitioner and the defacto complainant are relatives and due to prior motive, the petitioner has been falsely implicated in this case. He further submits that the petitioner is a person with a physical disability. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police submits that the petitioner has two previous cases and the injured/defacto complainant was admitted in hospital on 21.01.2025 and also discharged on 25.01.2025. However, he prays to dismiss this Criminal Original Petition.



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

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7. The defacto complainant was admitted in hospital on 21.01.2025 and also discharged on 25.01.2025. Considering the same and considering the facts and circumstances of the case and also considering the facts that the petitioner and the defacto-complainant are relatives and the petitioner is a disabled person and Accused No.2 was also released on bail and with a view to give one more opportunity to the petitioner, this 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, Kadaladi, within a period of 15 days from the date on which the order copy is made ready, 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, Kadaladi;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily 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



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identity proofs to ensure their identity;

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(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Kadaladi;

(v) The petitioner shall not enter into the defacto complainant's residence or office.

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

(vii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Kadaladi, 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*. Consequently, connected miscellaneous petition is closed.

sd/-
14/02/2025

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

APD

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TO

1 THE JUDICIAL MAGISTRATE
KADALADI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-1719[I] dated 17/02/2025)

ORDER

IN

CRL OP(MD) No.1615 of 2025

Date :14/02/2025

SS/SKN/SAR- /25/02/2025/ 6P/6C

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