



CRL OP(MD). No.2078 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2078 of 2025

and

CRL MP(MD). No.1753 of 2025

P.Rajasekar

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
Crime No.71 of 2025.

... Respondent/Complainant

For Petitioner	:	Mr.Aayiram K.Selvakumar,
For Respondent	:	Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)
For Intervenor	:	Mr.B.Sudalai Narayanan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.71 of 2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 29.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2.The petitioner/Accused No.2 apprehends arrest at the hands of the respondent-Police for the offences punishable under (*)Sections 420, 294(b) and 506 (1) of Indian Penal Code, 1860 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.71 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant and her son have deposited nearly Rs.30,00,000/- in one finance company, as per the assurance given by the petitioner and his son. Since the amount was not returned, it was questioned by the defacto complainant. The petitioner and his son intimidated the defacto complainant with dire consequences. Hence, this case.

4. Mr.Aayiram K.Selvakumar, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the said money transaction was between the defacto complainant's son and the petitioner's son themselves and the petitioner is in no way connected with this case and the petitioner's family also invested some amount in the said company, which was not



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returned. Hence, he prays for grant of pre-arrest bail to the petitioner.

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5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner has no previous case. He further submits that if this Court grants pre-arrest bail to the petitioner, he may cause threat to the defacto complainant and tamper the evidence. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence and deep roots in the society and hence, there is less possibility of absconding. Considering the same and considering the facts and circumstances of the case and the fact that no previous case is pending against the petitioner, and with a view to give an opportunity to the petitioner to reform himself, 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, Radhapuram, Tirunelveli, 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, Radhapuram,



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(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police twice a week i.e., on every Monday 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, Radhapuram, Tirunelveli, shall obtain a copy of any one of identity proofs to ensure their identity;

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

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without previous permission of the Court;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate, Radhapuram, 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. Consequently, connected miscellaneous petition is closed.

sd/-
17/02/2025

(*)Amended as per order of this Hon'ble Court in
CRL OP(MD).2078/2025 Dated 06/03/2025
/ TRUE COPY /

/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
05/03/2025

1 THE JUDICIAL MAGISTRATE, RADHAPURAM, TIRUNELVELI

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

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



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

ORDER
IN

CRL OP(MD) No.2078 of 2025

Date :17/02/2025

SS/SKN/SAR- /28/02/2025/ 6P/5C

RS/SKN/SAR- /12.03.2025/ 6P/5C

Madurai Bench of Madras High Court is issuing
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