



CRL OP(MD). No.2169 of 2025

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.2169 of 2025

1. Pasupathi,  
S/o.Ponnusamy,  
No.166, Keela Street,  
Neivasal,  
Thanjavur District..

2. Ramesh,  
S/o.Saminathan,  
No.169, Keela Street,  
Neivasal,  
Thanjavur District..

... Petitioners/ Accused Nos.3 & 4

Vs

The State of Tamilnadu,  
Rep by the Inspector of Police,  
Orathanadu Police Station,  
Thanjavur District.  
Crime No.20 of 2025..

... Respondent/ Complainant

For Petitioners : Mr.P.Veerapandi,  
Advocate.

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



CRL OP(MD). No.2169 of 2025

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## PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

### PRAYER :-

For Anticipatory Bail in Crime No.20 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 petitioners on 30.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 296(b) of Bharatiya Nyaya Sanhita (BNS) r/w 25 (1-A) of the Arms Act, 1959, in Crime No.20 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 17.01.2025, the accused persons were found in possession of deadly weapons and they were threatening the public with dire consequences to demand money. There are totally four accused persons in this case and the petitioners have been arrayed as Accused Nos.3 and 4.



CRL OP(MD). No.2169 of 2025

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4. Mr.P.Veerapandi, learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they were not committed any offence as alleged by the prosecution. He further submit that the petitioners are willing to abide by any conditions imposed by this Court. He therefore prayed to grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent Police submits that Accused Nos.1 and 2 have been arrested and remanded to judicial custody. He further submitted that there are no previous cases against the petitioners. However, he contends that, if the petitioners are released on pre-arrest bail, untoward incidents may occur. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioners.

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

7. Considering the fact that the petitioners have permanent residence and taking note of the fact that there are no bad antecedents against the petitioners and with a view to give one more opportunity to reform themselves in the society and there is less possibility of absconding and considering the fact that the petitioners are



CRL OP(MD). No.2169 of 2025

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first offenders, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District;

(ii) Thereafter, the petitioners 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 identity proofs to ensure their identity;

(iv) The petitioners shall furnish her residence address and mobile number to the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District;

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



CRL OP(MD). No.2169 of 2025

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(vi) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners 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 (CS-I/II/III/IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
ORATHANADU, THANJAVUR DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,  
ORATHANADU POLICE STATION, THANJAVUR DISTRICT.



CRL OP(MD). No.2169 of 2025

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

+1 CC to M/s.P.VEERAPANDI, Advocate ( SR-1402[I] dated 05/02/2025 )

ORDER  
IN  
CRL OP(MD) No.2169 of 2025  
Date :03/02/2025

RK/SKN/ SAR- 3 (19/02/2025) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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