



CRL OP(MD). No.2226 of 2025

WEB COPY

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.2226 of 2025

Yaswanth Alias Yaswanthkumar

... Petitioner/ Accused No.12

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.15 of 2025).

... Respondent/Complainant

For Petitioner : Mr. D.Senthil
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2025 on the file of the respondent police



CRL OP(MD). No.2226 of 2025

WEB COPY

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 31.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / accused No.12 apprehends arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 296(b), 115(2), 118(1), 351(2) of BNS @ 126(2), 191(2), 296(b), 115(2), 351(2) and 109(1) of BNS, in Crime No.15 of 2025 on the file of the respondent-police.

The case for the prosecution is that there was a scuffle between the parties during the Adal Padal function held at the temple festival. Due to the vengeance, on 13.01.2025, when the defacto complainant was at his house, a person belonging to the village of the accused persons came and threatened him. Subsequently, on 17.01.2025, at 12:45 p.m., when the defacto complainant, along with some of his villagers, was going for work, near Gowri Pavan, Paramakudi, the accused persons abused them using filthy language, attacked them with wooden logs, causing injuries, and threatened them with dire consequences. Hence, the case.



CRL OP(MD). No.2226 of 2025

WEB COPY

4. Mr.D. Senthil, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there is no previous case pending against the petitioner. He further submits that the victim was admitted in the hospital on 17.01.2025 and discharged on 12.02.2025. However, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation is not necessary in this case. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and also considering the facts and



CRL OP(MD). No.2226 of 2025

सत्यमेव जयते
WEB COPY

circumstances of the case and also taking note of the fact that there are no previous cases against the petitioner and hence, with a view to give an opportunity 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Paramakudi, within a period of 15 days from 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 said Magistrate.

(ii) 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.

(iii) The petitioner shall stay at Madurai and report before the Judicial Magistrate No.I, Madurai daily twice at 10.30 am and 5.30 pm until further orders. The



CRL OP(MD). No.2226 of 2025

petitioner shall also appear before the respondent-Police as and when required for interrogation.

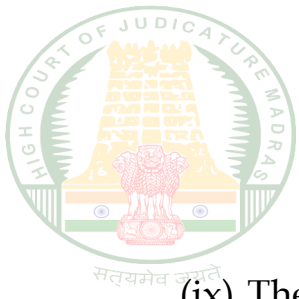
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) 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.

(vi) The petitioner shall not leave India without the previous permission of the Court.

(vii) The petitioner shall not enter into the defacto complainant's village or his work place until further orders.

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.



CRL OP(MD). No.2226 of 2025

WEB COPY

(ix) The petitioners shall not directly or in-directly, cause threat to the defacto complainant, witnesses and the victim.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate 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/-
14/02/2025

/ TRUE COPY /

/03/2025

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

TRP
TO

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.



CRL OP(MD). No.2226 of 2025

WEB COPY

3 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:
THE JUDICIAL MAGISTRATE NO.I, MADURAI.

+1 CC to M/s.D.SENTHIL, Advocate (SR-1672[I] dated 14/02/2025)

ORDER
IN

CRL OP(MD) No.2226 of 2025
Date :14/02/2025

SS/SKN/SAR- /04/03/2025/ 7P/7C

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