



CRL OP(MD). No.2412 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2412 of 2025

1.Kasi

2.Umayapandi

... Petitioners/ A1 & A2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
Crime No.22 of 2025.

... Respondent/Complainant

For Petitioners : Mr.G.Vishnuram

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.22 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita praying to grant an order of pre-arrest bail.

2. The petitioner/A1 & A2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections (*)296(b), 115(2) and 118(1) of BNS in Crime No.22 of 2025 on the file of the respondent-police.

3. The case of prosecution is that on 01.02.2025, at about 09.00 pm., when the defacto complainant was parking his two-wheeler at his home, the first petitioner, under the influence of alcohol, hit the defacto complainant's two-wheeler and fell down on the spot. Thereafter, the first petitioner abused the defacto complainant stating that he fell down because of the defacto complainant. There was a wordy quarrel between them and the petitioners assaulted the defacto complainant causing injuries. After the said occurrence, both family members entered into quarrel. At that time, the second petitioner attacked the defacto complainant and his wife with stone and thereby, they sustained injuries. Hence, the case.



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4. Mr.G.Vishnuram, learned counsel appearing for petitioners, submits that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant pre-arrest bail to the petitioners.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for respondent-police, submits that there are totally two accused in this case and due to pathway dispute, the petitioners attacked the defacto complainant and his wife. Further, he submits that injured was discharged from the hospital on 04.02.2025 and A1 has one previous case, which was closed as action dropped and A2 has no previous case.

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

7. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the injured had been discharged from the hospital, this Court is inclined to grant pre-arrest bail to the petitioners subject to the following conditions:



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(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Kamuthi District, within a period of 15 days from the date on which this order copy is made ready, 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 Judicial Magistrate, Kamuthi District;

(ii) The petitioners shall appear and sign before the respondent Police weekly twice i.e., 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 shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall not enter into the defacto complainant's residence;

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



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(vi) On breach of any of the aforementioned conditions, the learned Magistrate 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/-
07/02/2025

(*)Amended as per Order of the Court
dt.27/02/2025 in CrI.MP(MD).2582/2025 in
CrI.OP(MD).2412/2025.

/ TRUE COPY /

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

RMK
TO BE SUBSTITUTED WITH THE ORDER DT.07/02/2025 IS ALREADY
DESPATCHEND
TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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

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

+1 CC to M/s.G.VISHNURAM, Advocate (SR-12764 [F] dated 27/02/2025)

ORDER
IN

CRL OP(MD) No.2412 of 2025

Date :07/02/2025

SS/SKN/SAR-I/19/02/2025/ 6P/6C

PAL

SA/GSV/SAR. /04.03.2025/6P/6C

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