



CRL.OP(MD). No.2492 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.2492 of 2025

1.Saroja

2.Ramadurai

3.Sugapriya

4.Thirumalaisamy

... Petitioners / Accused Nos.2 to 5

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
All Women Police Station,
Manaparai,
Trichy District.

(Crime No.35 of (*)2024)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioners in Crime No.35 of (*)2024 on the file of the respondent-police.

For Petitioners : Mr.T.Lenin Kumar,
Advocate

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

For Intervener : Mr.Joel Paul Antony,
Advocate



CRL.OP(MD). No.2492 of 2025

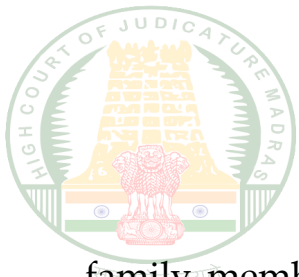
WEB COPY

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 06.02.2025 under Section 482 of the 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 417, 420, 506(i) and IPC and (**)351(2) of BNS, 2023, in Crime No.35 of (*)2024 on the file of the respondent-police.

3. The case of the prosecution is that on 11.08.2024, the defacto complainant, a diploma graduate in nursing, lodged a complaint with the respondent-police stating that the defacto complainant and her former classmate / A1 loved each other for a period of four years. In 2019, while the defacto complainant working at Coimbatore Medical Centre, they engaged in an extramarital relationship and A1 promised her that he would marry her. When A1's family members opposed their relationship, the couple left their homes on 08.08.2024 and traveled to Trichy to get married. Meanwhile, the defacto complainant's father filed a missing person complaint. On 09.08.2024, A1 dropped her at home stating that he was receiving calls from his



CRL.OP(MD). No.2492 of 2025

family members. That night, both were taken to Vaiyampatti Police Station for an enquiry, where A1 admitted to their relationship and promised to marry her after his Railway Board Exam. A written statement was recorded. However, after leaving the police station, A1's relatives allegedly threatened to kill them if they proceeded with their inter-caste marriage. Hence, the case.

4. Mr.T.Lenin Kumar, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioners. He however submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioners have been arrayed as A2 to A5. He further submits that A1's relatives allegedly threatened to kill the defacto complainant if they proceeded with their inter-caste marriage and therefore, custodial interrogation of the petitioners is necessary in this case. He further contends that if pre-arrest bail is granted to the petitioners, they will cause threat to the defacto



CRL.OP(MD). No.2492 of 2025

complainant and her family members. He therefore prays to dismiss this Criminal
WEB COPY
Original Petition.

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

7. The petitioners have permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the same and also considering the nature of the offence allegedly committed by the petitioners and taking note of the fact that there are no previous cases against the petitioners and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Manaparai, 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.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Manaparai.

(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



CRL.OP(MD). No.2492 of 2025

identity proofs to ensure their identity.

WEB COPY

(iii) The petitioners shall appear and sign before the respondent-police daily at 10.30 a.m. until further orders.

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

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

(vii) The petitioners shall not enter into the defacto complainant's house or her working place.

(viii) The petitioners shall not leave India without the previous permission of the Court.

(ix) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

(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 petitioners in accordance with law as if the aforementioned conditions are



CRL.OP(MD). No.2492 of 2025

imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

WEB COPY

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
17/03/2025

(*)(**)Amended as per Order of the Court
dt.08/04/2025 in CrI.MP(MD).4754/2025 in
CrI.OP(MD).2492/2025.

/ TRUE COPY /

/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal
TO BE SUBSTITUTED WITH THE ORDER DT.17/03/2025 IS ALREADY
DESPATCHED
TO

1 THE JUDICIAL MAGISTRATE
MANAPARAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAPARAI,
TRICHY DISTRICT.



CRL.OP(MD). No.2492 of 2025

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4055[I] dated 08/04/2025)

ORDER
IN
CRL OP(MD) No.2492 of 2025
Date :17/03/2025

HPS/SAR / 01.04.2025/7P/6C
MBI

SA/SAR. /16.04.2025/7P/6C

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