



CRL OP(MD). No.2519 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2519 of 2025

M.Selvakumar

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Kovilpatti West Police Station,  
Thoothukudi District.  
Crime No.84 of 2025

... Respondent/ Complainant

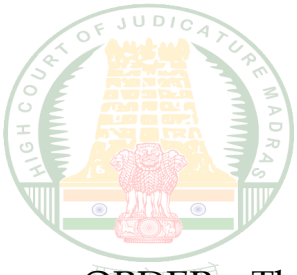
For Petitioner : Mr.S.Saravanan, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.84 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.84 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 03.02.2025 at about 07.30 a.m., near Krishna Nagar Venkateswara Hospital Bus Stop, the petitioner and some other persons abused the defacto complainant in filthy language and attacked the defacto complainant using iron rod and caused injury. Hence, the case.

4. Mr.S.Saravanan, learned counsel appearing for the petitioner submits that the petitioner was arrayed as an accused falsely. The petitioner did not commit any offence as alleged by the prosecution. Hence, he prays for grant of pre-arrest bail to the petitioner.



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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the defacto complainant was admitted in the hospital on 03.02.2025 and discharged on 06.02.2025. The petitioner has two previous cases. Accordingly, 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 therefore, there is less possibility of absconding. Considering the above facts and considering the nature of the offences alleged against the petitioner and also considering the fact that the injured has been discharged from the hospital, 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 No.II, Kovilpatti, 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)



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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 No.II, Kovilpatti;

(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) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

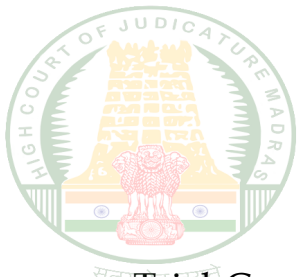
(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Kovilpatti;

(v) The petitioner shall not enter into the defacto complainant's house or workplace;

(vi) The petitioner shall not try to contact the defacto complainant either directly or through any electronic mode;

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

(viii) On breach of any of the aforementioned conditions, concerned Magistrate,



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or Trial Court as the case may be, is entitled to pass appropriate orders against the  
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petitioner in accordance with law as if the aforementioned conditions are imposed by  
them 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/-  
10/02/2025

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/02/2025  
Sub-Assistant Registrar (CS-I/II/III/IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

mbi

TO

1.THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,  
KOVILPATTI WEST POLICE STATION,  
THOOTHUKUDI DISTRICT

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



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**WEB COPY** +1 CC to M/s.S.SARAVANAN, Advocate ( SR-1588[I] dated 12/02/2025 )

ORDER  
IN  
CRL OP(MD) No.2519 of 2025  
Date :10/02/2025

RK/SKN/ SAR-4 (19/02/2025) 6P / 6C

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