



CRL OP(MD). No.2604 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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V.Packiyaraj,
S/o.Vellaisamy,
85, B/10 Middle Street,
S.Sangaralingapuram,
Peraiyur,
Madurai District.

... Petitioner/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Peraiyur Police Station,
Madurai District.
Crime No.22/2025.

... Respondent/Complainant

For Petitioner : Mr.Praveen Kumar.B,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

<https://www.mhc.tn.gov.in/judis>



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PRAYER :-
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For Anticipatory Bail in Crime No.22/2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, 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 294(b), 323 and 324 of the Indian Penal Code, 1860 (Act No.45 of 1860) and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.22 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to pathway dispute between the petitioner and the defacto complainant, the petitioner and his relatives abused the defacto complainant by using filthy language and assaulted the defacto complainant with aruval causing head injury. Hence, the complaint.

4. Mr.B.Praveen Kumar, learned counsel appearing for the petitioner, submits



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that the petitioner has nothing to do with the alleged offence. He further submits that due to civil dispute between the petitioner and the defacto complainant, a false case has been registered against the petitioner. He further submits that he is ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that the injured person has been admitted in the hospital on 05.02.2025 and discharged on 11.02.2025. However, he vehemently opposes the grant of pre-arrest bail to the petitioner.

6. The petitioner has permanent residence and deep roots in the society and hence, there is less possibility of absconding. Considering the above facts and also considering the fact that the defacto complainant is the adjacent land owner of the petitioner and there was a property dispute between them and with a view to give an opportunity to the petitioner to reform himself in the society, 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



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event of his surrender before the learned District Munsif cum Judicial Magistrate, Peraiyur, Madurai District, within a period of fifteen 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) 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, Peraiyur, Madurai District;

(ii) Thereafter, the petitioner shall stay at Theni District and shall appear and sign before the learned Judicial Magistrate, Theni on all working days at 10.00 a.m., and 05.00 p.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 District Munsif cum Judicial Magistrate, Peraiyur, Madurai District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Peraiyur, Madurai District;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not enter into the residence of the defacto complainant and shall not try to contact the defacto complainant or his relatives



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either directly or through any electronic modes and shall not tamper the evidence;
and

(vi) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Peraiyur, Madurai District 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].

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

sd/-
12/02/2025

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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,
PERAIYUR, MADURAI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION, MADURAI DISTRICT.



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

COPY TO

1.THE JUDICIAL MAGISTRATE, THENI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

+1cc to Mr.Praveen Kumar.B,, Advocate SR No.9064 dated 12.02.2025

ORDER
IN
CRL OP(MD) No.2604 of 2025
Date :12/02/2025

RK/SKN/ SAR-2 (19/02/2025) 6P / 8C

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