



CRL OP(MD). No.2707 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2707 of 2025

Saravanan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Sethur Rural Police Station,
Virudhunagar District.
Crime No.32 of 2025

... Respondent/Complainant

For Petitioner : Mrs.Jenifar Bibin

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.32 of 2025 on the file of the respondent-police.



CRL OP(MD). No.2707 of 2025

ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 10.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 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 296(b) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 67 of the Information Technology Act, 2000, in Crime No.32 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the defacto complainant are working at Jameen Kollankondan Primary Health Centre and the defacto complainant is superior to the petitioner. While so, the petitioner has neglected the work allotted to him. The petitioner has been sending messages to the defacto complainant in a sexual manner calling him as a woman and threatening him with criminal intimidation to transfer the petitioner to another place. Hence, the case.

4. Mrs.Jenifar Bibin, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution, and a false case has been foisted against him. She however submits that the petitioner has appeared before the respondent-Police as per the directions of this Court and is ready to abide by any conditions to be imposed by this Court. Hence, she prays for grant of



CRL OP(MD). No.2707 of 2025

pre-arrest bail to the petitioner.

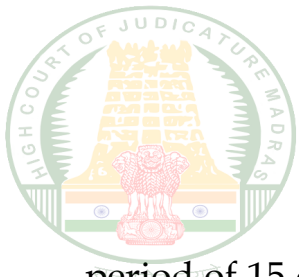
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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner has been neglecting his duty, sending messages to the defacto complainant in a sexual manner and also threatening with dire consequences for transfer. He concedes that the petitioner has appeared before the respondent-Police, co-operated for investigation and also surrendered his mobile phone to the respondent-Police. He however submits that if pre-arrest bail is granted to the petitioner, he will commit similar offence and cause threat to the defacto complainant. Hence, he prays for dismissal of this petition.

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

7. It is stated that as directed by this Court on 13.02.2025, the petitioner appeared before the respondent-Police and surrendered his mobile phone to the Investigation Officer and co-operated with the investigation. In view of the facts and circumstances and taking note of the conduct of the petitioner, this Court is of the opinion that the custodial interrogation of the petitioner is not necessary for the Investigation Agency. Hence, 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, Rajapalayam, within a



CRL OP(MD). No.2707 of 2025

period of 15 days from the date on which the order copy is made ready, on executing
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a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, Rajapalayam;

(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;

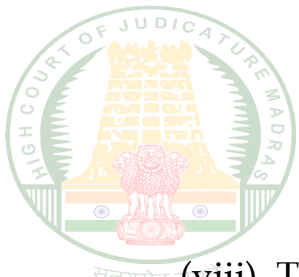
(iii) The petitioner shall make himself available for interrogation by a police
officer as and when required;

(iv) 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;

(v) The petitioner shall not leave India without the previous permission of the
Court;

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police
weekly twice i.e., on every Monday and Friday at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to
the learned Judicial Magistrate, Rajapalayam;



CRL OP(MD). No.2707 of 2025

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

(ix) On breach of any of the aforementioned conditions, concerned 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 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/-
14/03/2025

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

MBI
TO

1 THE JUDICIAL MAGISTRATE
RAJAPALAYAM.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.



CRL OP(MD). No.2707 of 2025

3 THE SUB INSPECTOR OF POLICE,
SETHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.2707 of 2025
Date :14/03/2025

HPS/SAR / 04.04.2025/6P/5C

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