



CRL OP(MD). No.3056 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Tamilselvi
2. Suriya

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Gandhi Market Police Station,
Trichy City.
(Cr. No. 16 of 2025).

... Respondent/ Complainant

For Petitioners : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram, APP

PRAYER :-

For Anticipatory Bail in Crime No. 16 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioners on 17.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 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 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.16 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to previous enmity between the petitioners and the defacto complainant, on 13.01.2025, the petitioners herein attacked the defacto complainant with deadly weapons causing injury and abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

4. Mr.K.M.Karunakaran, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence. He further submits that the respondent-Police has falsely foisted a case against the petitioners. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioners.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public



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Prosecutor appearing for the respondent-Police, submits that there are eight previous cases pending against the first petitioner and six previous cases pending against the second petitioner. He further submits that the defacto complainant has been admitted in the hospital on 13.01.2025 and discharged on 18.01.2025. He further submits that if pre-arrest bail is granted to the petitioners, the petitioners will commit similar offences once again. He further submits that the investigation has not yet been completed till date. Hence, he opposes to grant pre-arrest bail to the petitioner.

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

7. Considering the bad antecedents of the petitioners and considering the fact that they are habitual offenders, this Court finds that, if pre-arrest bail is granted to the petitioners, they may cause a threat to the defacto complainant and commit the similar offences. Furthermore, considering the nature of the injuries sustained by the defacto complainant and considering the dismissal of the petitioners' earlier pre-arrest bail application in Crl.O.P.(MD).No.1117 of 2025 by an order dated 23.01.2025, and taking note of the fact that there is no change in circumstances, this Court holds that the successive pre-arrest bail petition is not maintainable. Hence, the Court is



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not inclined to grant pre-arrest bail to the petitioners.

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7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
19/02/2025

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

TO

1 THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY CITY.

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

ORDER
IN
CRL OP(MD) No.3056 of 2025
Date :19/02/2025

TSG

MK/SKN/04.03.2025 4P/3C

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