



CRL OP(MD). No.2826 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. Thiruppathi
2. Deepanadan

... Petitioners/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Chinthamanipatti Police Station,
Karur District 621 301.
Crime No. 37/2025.

... Respondent/Complainant

For Petitioners : Mr.Senthilkumar R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.37 of 2025 on the file of the respondent-Police.



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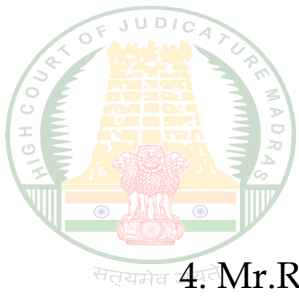
ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 12.02.2025 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 296(b), 126(2), 132 and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.37 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as a Special Revenue Inspector in the Geology and Mines Department, Karur. The defacto complainant seized a lorry belonging to the first petitioner for allegedly transporting gravel sand. Subsequently, the de facto complainant handed over the vehicle to Sinthampatti Police Station. On 07.02.2025, at about 9:00 p.m., while the de facto complainant was having food at Vairavan Chettiyar Hotel, Tharaampadi, the petitioners, along with other accused persons, threatened him to return the seized vehicle and if the vehicle was not returned, they would spread false messages on social media. They abused the defacto complainant in filthy language and criminally intimidated him. Hence, the case.



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4. Mr.R.Senthil 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 they have been falsely implicated in this case. He, however, submits that the petitioners are ready to abide by any conditions to 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 there are no previous cases against the petitioners. He further submits that if pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant. Hence, he prays to dismiss this Criminal Original Petition.

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

7. Considering the facts and circumstances of the case, the nature of the offence alleged against the petitioners and also considering the fact that the petitioners have permanent residence and deep roots in the society and therefore, there is less possibility of absconding and taking note of the fact that there are no previous cases against the petitioners and also 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



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the following conditions:

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(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 No.I, Kulithalai, Karur District, within a period of 15 days from 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) each 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.I, Kulithalai, Karur District.

(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 No.I, Kulithalai, Karur District, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m. and 05.00 p.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.



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

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

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

(ix) The petitioners shall not enter into the defacto complainant's house or his work place.

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



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

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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 JUDICIAL MAGISTRATE NO.I,
KULITHALAI, KARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
CHINTHAMANIPATTI POLICE STATION,
KARUR DISTRICT 621 301.

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

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-1849[I] dated 19/02/2025)



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ORDER

IN

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Date :19/02/2025

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MK/SKN/04.03.2025 7P/6C

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