



CRL OP(MD). No.2915 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2915 of 2025

Pandi @ Palpandi,

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
Crime No. 414/2024.

... Respondent/Complainant

For Petitioner : Mr. Senthil Murugan.C,
Advocate.

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

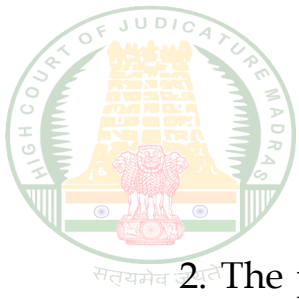
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.414 of 2024 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 13.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of Bharatiya Nyay Sanhita (BNS), 2023 in Crime No.414 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 03.12.2024, at about 09.00 p.m., the defacto complainant parked his Yamaha FZ BSIV bike bearing Registration No.TN 67 BX 7776, in front of his house and went to sleep. Thereafter, on 04.12.2024, at about 08.30 a.m., he discovered that his two-wheeler had gone missing. Hence, the case.

4. Mr.C.Senthil Murugan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there is no previous case pending against the petitioner. He further submits that a sum of Rs.40,000/- has been recovered by the respondent-Police from the petitioner. However, he prays to dismiss this Criminal Original Petition.



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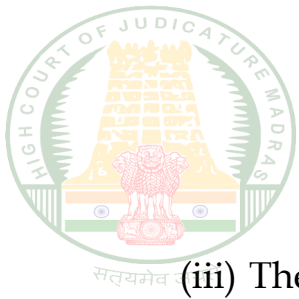
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6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and also considering the fact that a sum of Rs.40,000/- (equal value of the stolen property) has been recovered from the petitioner and that the petitioner has no previous case, and with a view to give one more opportunity to the petitioner to reform himself, 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, Aruppukottai, 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.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, Aruppukottai;

(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, Aruppukottai, shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall appear and sign before the respondent-Police weekly thrice (ie., on Sunday, Monday and Friday) at 10.00 a.m., until further orders;

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

(v) 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;

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

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

(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, the learned Judicial Magistrate, Aruppukottai, 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].



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

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sd/-
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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg
TO

- 1.The learned Judicial Magistrate, Aruppukottai.
- 2.Do through the Chief Judicial Magistrate, Virudhunagar at Srivilliputhur.
- 3.The Inspector of Police, Aruppukottai Town Police Station, Virudhunagar District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.2915 of 2025
Date :22/04/2025

PP/26.05.2025 5P/5C

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