

CRL.OP(MD).No.2917 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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A.Veeramani @ Mani

... Petitioner / Sole Accused

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
(Crime No.5 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.5 of 2025 on the file of the respondent-police.

For Petitioner : Mr.T.Thirumurugan,
Advocate.

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 13.02.2025



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under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
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grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent- police for the offence punishable under Sections 11(4), 11(5), 12, 7, 8 of Protection of Child from Sexual Offences Act, 2012 and 331, 115 and 351(2) of BNS, 2023, in Crime No.5 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent-police, stating that on 03.02.2025, the petitioner abused and threatened her with dire consequences due to a prior motive. Based on the said complaint, the respondent-police registered a case against the petitioner.

4. Mr.T.Thirumurugan, 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. He further contends that this is case in counter and that the defacto complainant voluntarily visited the petitioner's house and assaulted the mother of the defacto complainant with iron rod. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays for grant of pre-arrest bail.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that on prima facie, it appears that



the petitioner and the defacto complainant were in a consensual relationship. He further submits that the petitioner threatened the defacto complainant with dire consequences. He further contends that if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and her family members and therefore, custodial interrogation of the petitioner is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case, the nature of the offence allegedly committed by the petitioner and also taking note of the fact that the petitioner has no previous cases and with a view to give an opportunity to the petitioner to return himself, this Court is of the view that custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Vadipatti, 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.25,000/- (Rupees Twenty Five Thousand only)



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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, Vadipatti.

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(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 appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

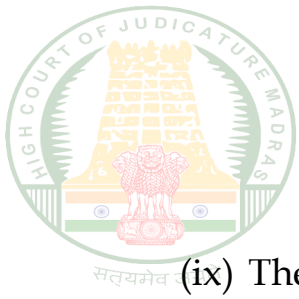
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

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

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



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(ix) The petitioner shall not enter into the defacto complainant's house or her working place.

(x) The petitioner shall also not try to contact the defacto complainant and her family members either directly or through any electronic mode.

(xi) 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 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].

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

sd/-
13/03/2025

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

PAL
TO
1 THE JUDICIAL MAGISTRATE,
VADIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI.



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3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.

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

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-2862[I] dated 14/03/2025)

ORDER IN
CRL OP(MD) No.2917 of 2025
Date :13/03/2025

SA/SKN/SAR. /28.03.2025/6P/6C

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