



CRL OP(MD). No.3122 of 2025

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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.Chandra

2.Mari

... Petitioners/ Accused Nos.1 and 2

Vs

The Inspector of Police,
Palayanur Police Station,
Sivagangai District.
Crime No.8 of 2025

... Respondent/Complainant

For Petitioners : Mr.J.Karthikeyan

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.8 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 17.02.2025



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

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2. The petitioners apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(1) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.8 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that there was a previous dispute between the parties, due to which on 28.01.2025, the petitioners abused the defacto complainant in filthy language and attacked her with hands and pulled her hair and pushed her down to the ground and threatened her with dire consequences. Hence, the case.

4. Mr.J.Karthikeyan, learned counsel appearing for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side)



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appearing for the respondent Police, submits that the investigation is still pending in the present case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners and the defacto complainant are neighbours. No injury was sustained by the defacto complainant. The petitioners have permanent residence and have deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the nature of offences allegedly committed by the petitioners, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned District Munsif cum Judicial Magistrate, Thiruppuvanam, 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.20,000/- (Rupees Twenty Thousand only) each along with two sureties each for a like sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruppuvanam.

(ii) Thereafter, the petitioners shall appear and sign before the respondent-

Police daily at 10.30 a.m. until further orders.



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(iii) 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 District Munsif cum Judicial Magistrate, Thiruppuvanam shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Thiruppuvanam;

(v) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(vi) 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;

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

(viii) The petitioner shall also not enter into the house of workplace of the defacto complainant;

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

(x) On breach of any of the aforementioned conditions, concerned District



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Munsif cum Judicial Magistrate, Thiruppuvanam, 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 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/-
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.

APD

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUPPUVANAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE,
PALAYANUR POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.3122 of 2025
Date :19/02/2025

SS/SKN/SAR- /03/03/2025/ 6P/5C

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