



CRL.OP(MD). No.3003 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.3003 of 2025

N.Thangarasu

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.37 of 2025)

... Respondent / Complainant

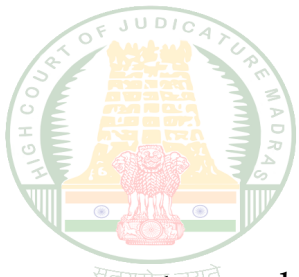
PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.37 of 2025 on the file of the respondent-police.

For Petitioner : Mr. B.Duraipandi, 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 14.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



CRL.OP(MD). No.3003 of 2025

grant an order of pre-arrest bail.

WEB COPY

2. The petitioner / accused No.1, apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 189(2), 126(2), 296(b), 115(2), 118(2), 133 and 351(2) of BNS, in Crime No.37 of 2025 on the file of the respondent-police.

3. The case for the prosecution is that due to a property dispute, on 07.02.2025, at about 8:00 p.m., the defacto complainant's brother-in-law, while en route to the hospital for treatment, was intercepted and attacked by the petitioner, who also threatened him with dire consequences. Subsequently, the defacto complainant and his brother-in-law, after filing a police complaint, proceeded to the hospital. At that time, the accused persons arrived at the location, whereupon the petitioner assaulted the defacto complainant with an iron pipe, and Accused No.2 assaulted the defacto complainant with a wooden log. Concurrently, Accused No.3 stabbed the defacto complainant's brother-in-law with a knife and forcibly pulled him to the ground, causing fractures to his left hand. The accused persons then threatened them with dire consequences. Hence, the case.



CRL.OP(MD). No.3003 of 2025

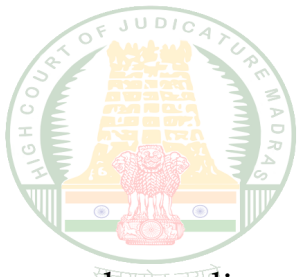
WEB COPY

4. Mr.B.Duraipandi, 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 and the injured was discharged from the hospital. He further submits that the investigation of the case is pending and therefore at this stage, if the petitioner is granted bail, he will cause threat to the defacto complainant and his brother-in-law. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation is not necessary in this case. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for



CRL.OP(MD). No.3003 of 2025

absconding. Considering the same and also considering the facts and circumstances of the case and taking note of the fact that the injured was discharged from the hospital and with a view to give an opportunity 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Paramakudi , 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) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the said Magistrate.

(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

5.00 pm until further orders;

<https://www.mhc.tn.gov.in/judis>



CRL.OP(MD). No.3003 of 2025

WEB COPY

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

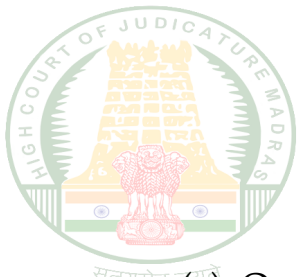
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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

(vii) The petitioner shall not enter into the defacto complainant's house or his mother-in-law's house or their work place.

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

(ix) The petitioner shall not, directly, or in directly, cause threat to the defacto complainant and his brother-in-law and tamper with the evidence.



CRL.OP(MD). No.3003 of 2025

WEB COPY

(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 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/-
18/02/2025

/ TRUE COPY /

/02/2025

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

trp

TO

1.THE JUDICIAL MAGISTRATE, PARAMAKUDI ,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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



CRL.OP(MD). No.3003 of 2025

WEB COPY +1 CC to M/s.B.DURAIPANDI, Advocate (SR-1816[I] dated 19/02/2025)

ORDER
IN
CRL OP(MD) No.3003 of 2025
Date :18/02/2025

RK/SKN (26/02/2025) 7P / 6C

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