



CRL OP(MD). No.3100 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Kirubakaran,

2. Raja,

3. Kannan,

...Petitioners/ Accused No.1 to 3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Karambakudi Police Station,
Pudukottai District.
Crime No.58/2025..

... Respondent/Complainant

For Petitioners : Mr.A.R.Kannappan

For Respondent : Mr.K.Sanjai Gandhi,

Government Advocate (Crl.Side)

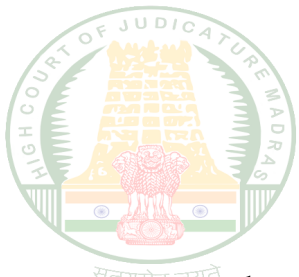
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.58/2025 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 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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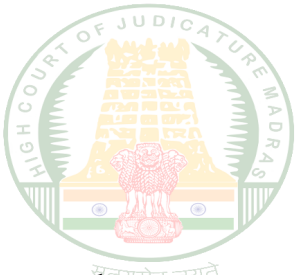
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2. The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections (*)296(b), 118(1), 324(4), 351(3), 287 of BNS, 2023, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.58 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 13.02.2025 at about 02.30 p.m., when the petitioners were standing nearby the defacto complainant's hotel, the petitioners are alleged to have abused the defacto complainant and her husband in filthy language, push her down into the hot water vessel, which caused injury on the cheek of the defacto complainant and threatened with dire consequences. Hence, the case.

4. When the matter was taken up for hearing on 25.02.2025, this Court directs the Registry to issue notice to the defacto complainant to appear before this Court. Though the defacto complainant received the notice, she did not appear before this Court.

5. Mr.A.R.Kannappan, 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



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the petitioners.

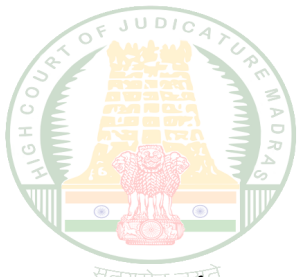
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6. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 3 accused persons in this case, and the petitioners have been arrayed as A1 to A3. He further submits that the defacto complainant was admitted in hospital on 13.02.2025 and discharged on 24.02.2025, and there are no previous cases against them. He, however, prays to dismiss this Criminal Original Petition.

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

8. The petitioners have permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the same, and also considering the fact that there are no previous cases against the petitioners, and 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 the following conditions:

(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, Karambakudi, Pudukottai District, 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) each along with two sureties each for a like



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sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Karambakudi, Pudukottai District.

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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 petitioners shall appear and sign before the respondent-police daily at 10.30 a.m. until further orders.

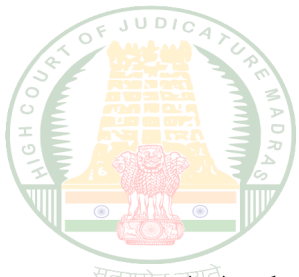
(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(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.

(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.



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(ix) The petitioners shall not enter into the defacto complainant's house or her 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].

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

sd/-
04.03.2025

(*)Amended as per the order of this court dated
27/03/2025 in CRL MP(MD)No.4161 of 2025 in
CRL OP(MD)No.3100 of 2025

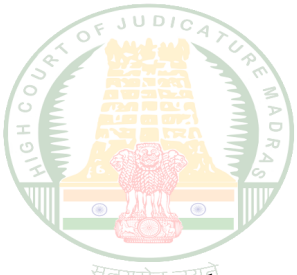
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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM

To be substituted to the order which is already despatched on 24.03.2025
TO

1. The Judicial Magistrate,
Karambakudi,
Pudukottai District,



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2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.

3. The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.R.KANNAPPAN, Advocate (SR-3611[I] dated 28/03/2025)

ORDER
IN
CRL OP(MD) No.3100 of 2025
Date :04/03/2025

SL(21.03.2025)/ 6P/ 6C

MK/GSV/ (02.04.2025)/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.