



CRL OP(MD). No.3167 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3167 of 2025

Virumandi @ Dinakaran

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No.490 of 2024

... Respondent/ Complainant

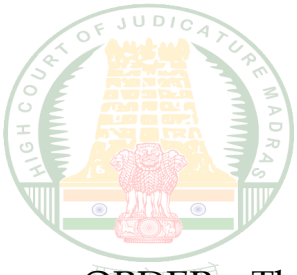
For Petitioner : Mr.M.Pitchai Muthu , Advocate

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.490 of 2024 on the file of the respondent-police.



CRL OP(MD). No.3167 of 2025

ORDER : The Court made the following order :-

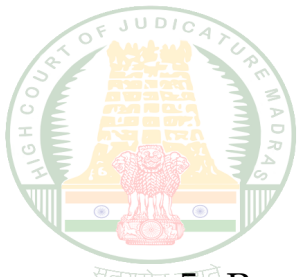
WEB COPY

This Criminal Original Petition has been filed by the petitioner on 18.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 127(2), 296(b) and 308(5) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.490 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 29.10.2024, the petitioner along with other accused robbed the defacto complainant's cell phone by threatening him, abused him in filthy language and also assaulted him. Hence, the case.

4. Mr.M.Pitchai Muthu, learned counsel appearing for the petitioner, submits that the petitioner has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. However, he submits that the petitioner is ready to abide by any condition to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.



CRL OP(MD). No.3167 of 2025

WEB COPY

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that there are totally three accused persons in this case and the petitioner is A3. He further submits that A1 was arrested and released on bail and A2 was granted pre-arrest bail. He further submits that the defacto complainant sustained simple injuries and was admitted in the hospital on 31.10.2024 and discharged on 08.11.2024. He further submits that the petitioner has no previous case. However, 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 and deep roots in the Society and therefore, there is less possibility of absconding. Considering the same and also considering the fact that the injured has been discharged from the hospital and that the petitioner has no previous case and taking note of the fact that A1 was released on bail and A2 was granted pre-arrest bail and with a view to give an 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, Periyakulam, Theni



CRL OP(MD). No.3167 of 2025

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.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, Periyakulam, Theni District;

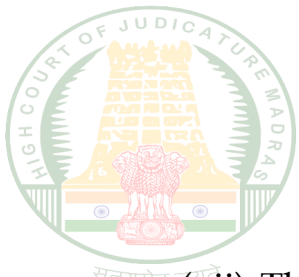
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) 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;

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

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;



CRL OP(MD). No.3167 of 2025

WEB COPY

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

(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, concerned 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 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/-
20/02/2025

/ TRUE COPY /

/03/2025

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

mbi

TO

1.THE JUDICIAL MAGISTRATE, PERIYAKULAM,
THENI DISTRICT.

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



CRL OP(MD). No.3167 of 2025

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.

3.THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION, THENI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.3167 of 2025

Date :20/02/2025

RK/SKN (05/03/2025) 6P / 5C

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