



CRL OP(MD). No.3385 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Johnpaul
2. Veda Maryal
3. Rayar

... Petitioners/ A2 to A4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
Crime No.19 of 2025.

... Respondent/Complainant

For Petitioners : Mr. D.Venkatesh
Advocate.
For Respondent : Mr.S.S. Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.19 of 2025 on the file of the
Respondent-Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 20.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / A2 to A4 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 49, 329, 296(b), 115(2), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.19 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 14.02.2025 about 8.30 pm, while the defacto complainant was at his house, at the instigation of the 1st accused, these petitioners trespassed into the house of the defacto complainant and abused him for making frequent RTI queries, and threatened him with dire consequences. The first petitioner also attempted to attack the defacto complainant with a sickle, and when it was obstructed by his mother, the first petitioner inflicted an injury on her mouth. Hence, the case.

4. Mr.D. Venkatesh, the learned counsel for the petitioners, submits that the petitioners 2 and 3 have already been arrested and released on bail and hence, nothing survives for adjudication in this petition as against the petitioners 2 and 3.

He further submits that the 1st petitioner is an innocent person and he has not



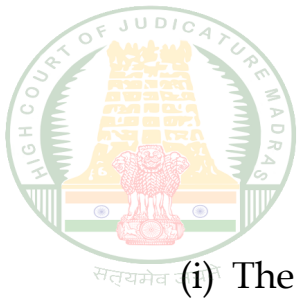
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committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He, however, submits that the first petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the 1st petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there is no previous case against the 1st petitioner. He further submits that the injured was admitted in the hospital on 14.02.2025 and discharged on 21.02.2025 due to intuition injury. However, he prays to dismiss this Criminal Original Petition.

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

7. Considering the facts and circumstances of the case and the nature of the offence alleged against the 1st petitioner and also considering the fact that the 1st petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding and taking note of the fact that there is no previous cases against the 1st petitioner and also with a view to give an opportunity to the 1st petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the 1st petitioner. Accordingly, pre-arrest bail is granted to the 1st petitioner subject to the following conditions:



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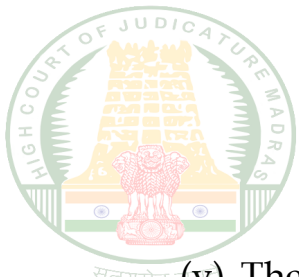
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(i) The 1st petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Thiruvadanai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 1st petitioner shall stay at Ramanathapuram and appear and sign before the Bazaar Police Station, Ramanathapuram, daily at 10.00 am and 5.00 pm until further orders.

(iv) The 1st petitioner shall make himself available for interrogation by a police officer as and when required.



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(v) The 1st 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 1st petitioner shall not directly or indirectly cause any threat to the defacto complainant and tamper with evidence.

(vii) The 1st petitioner shall not leave India without the previous permission of the Court.

(viii) The 1st petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) The 1st petitioner shall not enter into the Thiruvadnai Taluk until further orders;

(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 1st 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. As far as the petitioners 2 and 3 are concerned, since they have already been arrested and released on bail, this Criminal Original Petition is dismissed as



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infructuous as against the petitioners 2 and 3 and this Criminal Original Petition is
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allowed, as far as the first petitioner is concerned subject to the conditions stated
supra.

sd/-
24/02/2025

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVADANAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:
THE INSPECTOR OF POLICE,
BAZAAR POLICE STATION,
RAMANATHAPURAM,



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+1 CC to M/s.D.VENKATESH, Advocate (SR-2050[I] dated 25/02/2025)

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ORDER
IN

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Date :24/02/2025

TRP

MK/SKN/SAR /07.03.2025 7P/7C

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