



CRL OP(MD). No.3549 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3549 of 2025

1.Naveen @ Naveenkumar
2.Mathesh
3.Mahendran
4.Kumaresan.

... Petitioners/ Accused Nos.1 to 4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.
Crime No.15/2025.

... Respondent/Complainant

For Petitioners : Mr.R.Alagia Nambi

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.15/2025 on the file of the Respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 21.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2. The petitioners/Accused Nos.1 to 4 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 191(2), 296(b), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.15 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 09.02.2025, at about 4.30 p.m., when the defacto complainant, after consuming alcohol, went to a petty shop, the petitioners abused the defacto complainant and attacked with Arival, causing injury and also threatened him with dire consequences. Hence, this case. A counter case has also been lodged.

4. Mr.R.Alagia Nambi, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons and they have not committed any



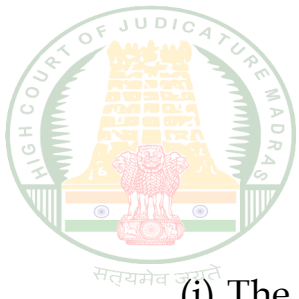
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offence as alleged by the prosecution. He further submits that since the defacto complainant was intoxicated, the occurrence happened. He however submits that the petitioners are ready to abide by the conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the defacto complainant sustained simple injury in the said incident and he was admitted in the hospital on 09.02.2025 and discharged on 17.02.2025. He further submits that the petitioners have one previous case, which is similar in nature. Hence, he prays to dismiss this Criminal Original Petition.

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

7. Since the defacto complainant was under the influence of intoxication, the occurrence happened. The petitioners have one previous case, which is similar in nature. 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 one more opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:



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(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Pudukottai, 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) each 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 No.I, Pudukottai;

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

(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 Judicial Magistrate No.I, Pudukottai 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 Judicial Magistrate No.I, Pudukottai;

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

(vi) The petitioners shall not enter into the house or work place of the defacto complainant;

(vii) The petitioners shall not, directly or indirectly make any inducement,



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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;

(viii) The petitioners shall not leave India without previous permission of the Court;

(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, the learned Judicial Magistrate No.I, Pudukottai , 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/-
25/02/2025

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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



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- TO
- 1 THE JUDICIAL MAGISTRATE NO.I
PUDUKOTTAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
VALLATHIRAKOTTAI POLICE STATION ,
PUDUKOTTAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3549 of 2025
Date :25/02/2025

SS/SKN/SAR- /10/03/2025/ 6P/5C

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