



CRL OP(MD). No.3544 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.3544 of 2025

S.Karthick

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime No.52/2025.

... Respondent/Complainant

For Petitioner : Mr.M.Murugesan

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.52/2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

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



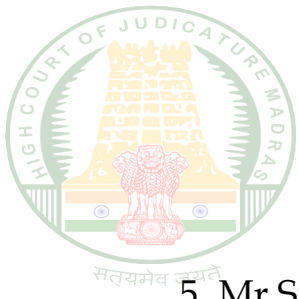
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2. The petitioner/Sole Accused apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.52 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 07.02.2025, at about 19:00 hours, when the defacto complainant was standing nearby a tea shop, a wordy quarrel arose between the petitioner and the defacto complainant. At that time, the petitioner abused the defacto complainant in filthy language and attacked with hand and threatened him with dire consequences. Hence, this case.

4. Mr.M.Murugesan, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has no previous case. He however submits that the petitioner is ready to abide by the conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.



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5. Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner threatened the defacto complainant, attacked him using knife, causing head injury. He further submits that the injured was admitted in the hospital on 07.02.2025 and discharged on 09.02.2025. Hence, 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 hence, there is less possibility of absconding. The petitioner has no previous case. Considering the same and also considering the facts and circumstances of the case and the fact that the injured was discharged from the hospital and the petitioner is a first offender 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, Thiruppuvanam, Sivagangai, within a period of 15 days from the date on which the order copy is made



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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 learned Judicial Magistrate, Thiruppuvanam, Sivagangai;

(ii) Thereafter, the petitioner 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, Thiruppuvanam, Sivagangai shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thiruppuvanam, Sivagangai;

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

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

(vii) 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;



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

(ix) The petitioner 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, Thiruppuvanam, Sivagangai, 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/-
25/02/2025

/ TRUE COPY /

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

APD

TO

1 THE JUDICIAL MAGISTRATE
TIRUPPUVANAM SIVAGANGAI



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.3544 of 2025

Date :25/02/2025

SS/SKN/SAR- /07/03/2025/ 6P/5C

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