



CRL OP(MD). No.3568 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

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Chelladurai

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.144 of 2025

... Respondent/Complainant

For Petitioner : Mr.P.Rajesh

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.144 of 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) praying to grant an



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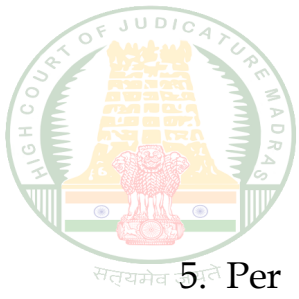
order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 126(2), 296(b), 115(2) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.144 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 10.02.2025, at about 10.30 a.m., when the defacto complainant and the daughter of the petitioner went to Manur in a two wheeler belonging to the father of the defacto complainant, the petitioner waylaid the vehicle, abused the defacto complainant in filthy language and attacked her with stick. Hence, the case.

4. Mr.P.Rajesh, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and a false case has been foisted against him. He further submits that the defacto complainant and the petitioner's daughter went to Mannur without informing their family members and that the defacto complainant was attempting to misbehave with the petitioner's daughter and therefore, the petitioner only stopped them for the purpose of preventing them from going to Mannur. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.



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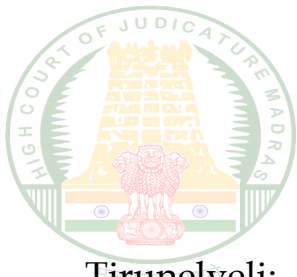
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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner is the sole accused in this case. He further submits that the defacto complainant was admitted in the hospital on 10.02.2025 and discharged on 15.02.2025 and 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 defacto complainant has been discharged from the hospital and taking note of the fact that the petitioner is a first-time 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 No.V, Tirunelveli, 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 learned Judicial Magistrate No.V,



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Tirunelveli;
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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 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 weekly twice i.e., on every Monday and Friday at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.V, Tirunelveli;

(viii) The petitioner shall not enter into the defacto complainant's house or workplace;

(ix) The petitioner shall not try to contact the defacto complainant either directly



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or through any electronic mode;

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(x) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(xi) 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/-
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.

MBI
TO
1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
MANUR POLICE STATION, TIRUNELVELI DISTRICT.

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



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

ORDER
IN
CRL OP(MD) No.3568 of 2025
Date :25/02/2025

SA/SKN/SAR. /12.03.2025/6P/5C

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