



CRL OP(MD). No.3792 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3792 of 2025

1. Vijayaragavan
2. Surya @ Suryadevan

... Petitioners/ Accused Nos.1 &2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kulithalai Police Station,
Karur District.
Crime No. 76/2025.

... Respondent/Complainant

For Petitioners : Mr. V. Karuna
Advocate.

For Respondent : Mr.K.Sanaji Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory bail in Crime No. 76 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 petitioners on 26.02.2025

<https://www.mhc.tn.gov.in/judis> under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



CRL OP(MD). No.3792 of 2025

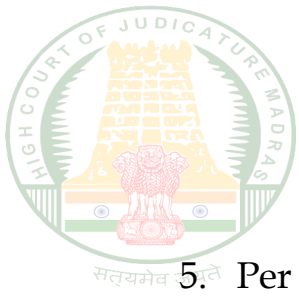
to grant an order of pre-arrest bail.

WEB COPY

2. The petitioners apprehend arrest at the hands of the respondent - police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023 and r/w. Section 4 of TNPHW Act in Crime No.76 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 21.01.2025 at about 10.00 pm, there was a wordy quarrel between the defacto complainant and her husband. The defacto complainant then informed the same to her brother over phone. Thereafter, the brother of the defacto complainant along with some of their relatives, came to the house of defacto complainant. At that time, the petitioners, who are the relatives of the defacto complainant's husband abused the defacto complainant and attacked her with hands and wooden log. While blocking attack on the defacto complainant by her brother, the petitioners also attacked him. Hence, the case.

4. Mr.V. Karuna, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He, however, submits that the petitioners are 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 petitioners.



CRL OP(MD). No.3792 of 2025

WEB COPY

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are no previous cases against the petitioners. He further submits that it is a case in counter and that the injured was discharged from the hospital. 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 petitioners, and also considering the fact that the petitioners have permanent residence and deep roots in the society and therefore, there is less possibility of absconding, and taking note of the fact that there are no previous cases against the petitioners and with a view to give an opportunity to the petitioners, to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.II, Kulithalai, 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



CRL OP(MD). No.3792 of 2025

Thousand only) to the satisfaction of the said Magistrate.

WEB COPY

(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 petitioners shall appear and sign before the respondent-police daily at 10.00 am until further orders.

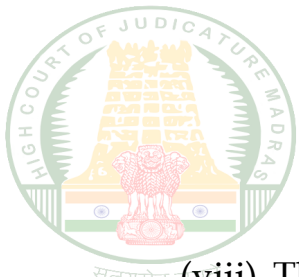
(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

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

(vi) The petitioners shall not leave India without the previous permission of the Court.

(vii) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.



CRL OP(MD). No.3792 of 2025

सत्यमेव जयते
WEB COPY
her work place.

(viii) The petitioners shall not enter into the defacto complainant's house or her work place.

(ix) 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 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/-
28/02/2025

/ TRUE COPY /

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

TRP
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KULITHALAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, KARUR
DISTRICT

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



CRL OP(MD). No.3792 of 2025

3 THE INSPECTOR OF POLICE,
KULITHALAI
POLICE STATION,
KARUR DISTRICT.

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

+1 CC to M/s.V.KARUNA, Advocate (SR-2332[I] dated 04/03/2025)

ORDER
IN
CRL OP(MD) No.3792 of 2025
Date :28/02/2025

MK/SKN/SAR /13.03.2025 6P/6C

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