



CRL OP(MD). No.4040 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4040 of 2025

1. Thiruppathi,

2. Vellaiyammal,

3. Kunnayee,

... Petitioners/ Accused Nos.2, 4 & 5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
Crime No.34/2025

... Respondent/Complainant

For Petitioners : Mr.M.Pitchai Muthu
Advocate

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

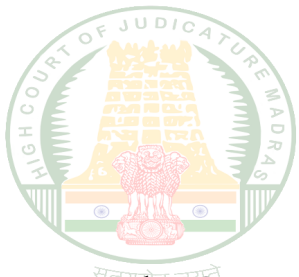
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.34/2025 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 28.02.2025



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under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
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to grant an order of pre-arrest bail.

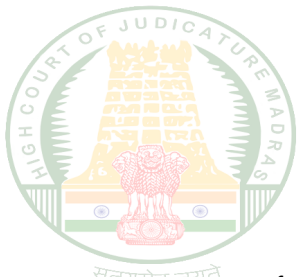
2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 296(b), 127(2), 115(2), 118(1) and 351 (3) of BNS, 2023 in Crime No.34 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to pathway dispute between the petitioners and the defacto complainant, on 15.02.2025 at about 01.00 p.m., while the defacto complainant was watering his agricultural lands, the petitioners herein made a wordy quarrel with the defacto complainant, abused him by using filthy language and assaulted him by using wooden log and caused injuries on his spine and hip. Hence, the complaint.

4. Mr.M.Pitchai Muthu, 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. He further submits that the first petitioner is 19 years old and the second and third petitioners are women. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side)

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



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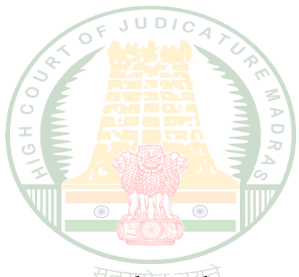
appearing for the respondent-police, submits that there are totally five accused persons in this case and the petitioners have been arrayed as Accused Nos.2, 4 and

5. He further submits that if pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant. Therefore, 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, the nature of the offence alleged against the petitioners and the facts that the petitioners have permanent residence and deep roots in the society and therefore, there is less possibility of absconding and also 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, Manapparai, Trichy District 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) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned



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Judicial Magistrate, Manapparai, Trichy District;

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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, Manapparai, Trichy District 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 10.30 a.m., until further orders.

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

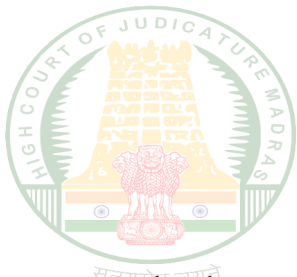
(v) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vi) The petitioners shall not, directly or indirectly cause threat to the defacto complainant and the witnesses and shall not tamper the evidence.

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

(viii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Manapparai, Trichy District.

(ix) The petitioners shall not enter into the defacto complainant's house or his



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work place.
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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Manapparai, Trichy District 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/-
04.03.2025

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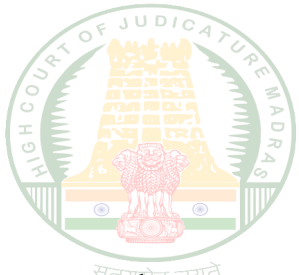
/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.The Judicial Magistrate,
Manapparai,
Trichy District.

2.Do through the Chief Judicial Magistrate,
Trichy District.



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3.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Date : 04/03/2025

SL(19.03.2025)/ 6P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.