

CRL OP(MD). No.4075 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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T Rajagopal

... Petitioner/ Accused
rank not known

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Dindigul Town North Police Station,
Dindigul District.
Cr.No. 155 of 2025.

... Respondent/ Complainant

For Petitioner : Mr. G Ravisankar
Advocate

For Respondent : Mr.K.Meenakshi Sundaram,
Additional Public Prosecutor

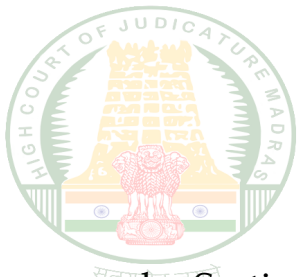
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.155 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 09.03.2025



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

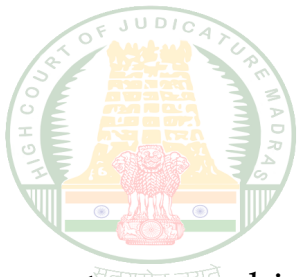
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2. The petitioner / accused apprehends arrest at the hands of the respondent-police for the offences punishable under Section 75 of BNS, 2023 r/w. Section 4 Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.155 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.02.2025, the defacto complainant and his wife were at home when an unknown man / petitioner rang their doorbell. Upon inquiry, he asked if the house was for rent, when informed otherwise, he suddenly unzipped his pants and engaged in an obscene act in front of the defacto complainant's wife. Hence, the case.

4. Mr.G.Ravisankar, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner



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trespassed into the house of the defacto complainant and committed the offence as alleged in the First Information Report. He further submits that there is no previous case pending against the petitioner. He further submits that the investigation of the case is still pending and, therefore, at this stage of investigation, if pre-arrest bail is granted to the petitioner, he may cause threat to the witnesses and commit the similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. As per the prosecution, the alleged occurrence took place on 22.02.2025 at 9.45 hours, but the complaint was given on 04.03.2025 at 10.00 hours, even according to the prosecution case, the defacto complainant's house is fitted with camera. In view facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. The petitioner has permanent residence and therefore, there is less possibility for absconding. Considering the same, and also considering the facts and circumstances of the case, and taking note of the fact that there is no previous case pending against the petitioner, and with a view to give an opportunity to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.



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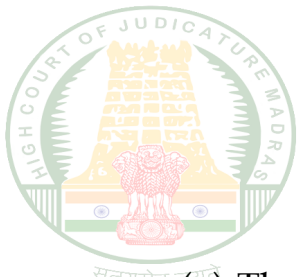
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(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned **(*)Judicial Magistrate, Additional Mahila Court, Dindigul**, within a period of 15 days from date on which the 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, Additional Mahila Court, Dindigul**.

(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, Additional Mahila Court, Dindigul**, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall stay at Sivagangai and appear and sign before the Inspector of Police, Town Police Station, Sivagangai daily at at 10.30 am until further orders;

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



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(v) 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.

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

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

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Dindigul.

(ix) The petitioner shall not enter into the house of the defacto complainant or his work place and tamper the witnesses.

(x) On breach of any of the aforementioned conditions, the learned (*)**Judicial Magistrate, Additional Mahila Court, Dindigul**, 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]*.



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8. Accordingly, this Criminal Original Petition is allowed subject to the
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conditions stated *supra*.

sd/-

19/03/2025

**(*)AMENDED AS PER THE ORDER OF THIS
HON'BLE COURT IN CRL MP(MD)No.5965 of
2025 in CRL OP(MD)No.4075 OF 2025 DATED
29/04/2025.**

/ TRUE COPY /

/05/2025

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

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 19/03/2025 ALREADY
DESPATCHED**

1 THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT, DINDIGUL

2 THE JUDICIAL MAGISTRATE NO.II
DINDIGUL

3 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL
DISTRICT.

4 THE INSPECTOR OF POLICE,
DINDIGUL
TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.



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5 THE INSPECTOR OF POLICE
TOWN POLICE STATION, SIVAGANGAI.

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

+1 CC to M/s. G. RAVISANKAR, Advocate (SR-4998[I] dated 29/04/2025)

ORDER
IN

CRL OP(MD) No.4075 of 2025

Date :19/03/2025

AS (07/04/2025) 7P /7 C

MBI

SS/SAR- /09/05/2025/ 7P/8C

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