



CRL.OP(MD)No.4097 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD)No.4097 of 2025

Veerasekar @ Veerasekaran

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu,
rep. by
The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukkottai District.
Crime No. 22 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.22 of 2025.

For Petitioner : Mr.R.Karthik Sevugaperumal
Advocate

For Respondent : Mr.K.Sanjay Gandhi
Government Advocate
(Criminal Side)



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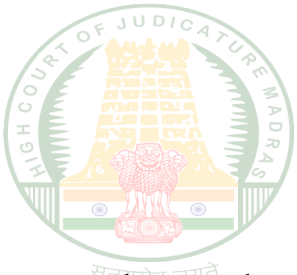
ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 03.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 74 of the Bharatiya Nyaya Sanhita (BNS), 2023 r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.22 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to wordy quarrel between the defacto complainant and the petitioner regarding the parking of the car, the petitioner assaulted the defacto complainant with his slipper and A2 abused her in filthy language. Hence, this case.

4. Mr.R.Karthik Sevugaperumal, learned counsel appearing for the petitioner,



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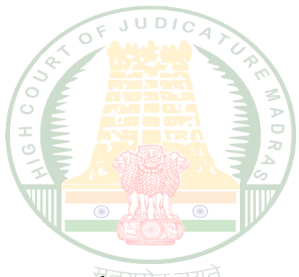
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submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that there are totally 2 accused persons in this case, and the petitioner has been arrayed as Accused No.1. He further submits that Accused No.2 has already been granted pre-arrest bail by the lower Court. He further submits that no previous case is pending against the petitioner. He further submits that if the pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant and witnesses. 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. Hence, there is less possibility of absconding. Considering the same, and also considering the nature of the offence alleged against the petitioner, the facts that



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there are no previous cases against the petitioner and that Accused No.2 has already been granted pre-arrest bail by the lower Court, 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:

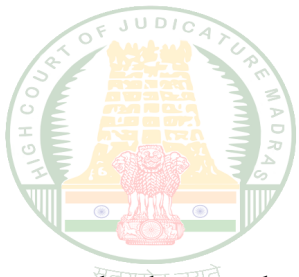
(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Avudaiyarkovil, Pudukkottai District within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Judicial Magistrate, Avudaiyarkovil, Pudukkottai District;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police twice a week i.e., Monday and Friday 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, Avudaiyarkovil, Pudukkottai District 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

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the learned Judicial Magistrate, Avudaiyarkovil, Pudukkottai District.

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

(vi) 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;

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

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

(ix) The petitioner shall not enter into the house of the defacto complainant, and shall not try to contact her either directly or through any electronic mode; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Avudaiyarkovil, Pudukkottai District 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].



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

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05/03/2025

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

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To

- 1.The Judicial Magistrate,
Avudaiyarkovil,
Pudukkottai District.
2. Do through the Chief Judicial Magistrate,
Pudukkottai District.
- 3.The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.OP(MD)No.4097 of 2025
05.03.2025

VN (25/03/2025) 6P / 5C

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