



CRL.OP(MD)No.4111 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.4111 of 2025

1.Selvi

2.Shanthi

... Petitioners/ Accused Nos.20 & 21

Vs.

The state of Tamil Nadu,
rep. by
The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
Crime No.9 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.9 of 2025 on the file of the respondent-police.

For Petitioners : Ms.R.Paranjothi, Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 03.03.2025 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 petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 126(2), 115(b), 118(1) and 351(3) of BNS, 2023 and Section 4 of The Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.9 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that there was a dispute between the parties with regard to the conducting of a ceremony of a temple situated at Vallambakadu Village, The Revenue Divisional Officer has been conducting meetings to resolve the issue. In this regard, a Writ Petition was also filed before this Court. During the temple festival, the petitioners herein and other accused persons are said to have abused the defacto complainant and others in filthy language, attacked them with wooden log, caused injuries to three persons, and also threatened them with dire consequences. Hence, this case.

4. Ms.R.Paranjothi, 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. She further submits that the co-accused persons have already been granted pre-arrest bail by this Court in Crl.O.P(MD)Nos.1274, 1675 and 2358 of 2025. She therefore prays for grant of pre-arrest bail to the petitioners.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing

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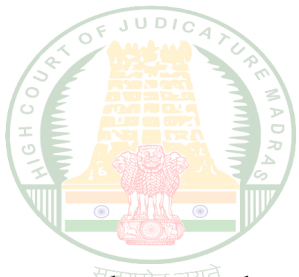
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for the respondent-Police, submits that there are totally 24 accused persons in this case and the petitioners have been arrayed as A20 and A21. He further submits that injured persons have been discharged from hospital. However, he vehemently opposes to grant pre-arrest bail to the petitioners.

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

7. The petitioners have permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the same, and considering the nature of offence, the fact that the injured persons have been discharged from the hospital, and the fact that the co-accused persons were already granted pre-arrest bail in Crl.O.P.(MD)Nos.1274, 1675 and 2358 of 2025 by this Court, 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, Aranthangi 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



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Thousand only) to the satisfaction of the said Magistrate;

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(ii) Thereafter, the petitioners shall appear and sign before the respondent-police as and when required for interrogation;

(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 shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Aranthangi;

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

(vi) 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;

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

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate, Aranthangi, 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/-
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,
Aranthangi.

2.Do through the Chief Judicial Magistrate,
Pudukkottai

3.The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

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



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SL(19.03.2025)/ 6P/ 5C

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