



CRL OP(MD). No.4116 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Selvakumar
2. Karuppaiah
3. Murugan
4. Ramuthai

... Petitioners/ A1 to A4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Bodinayaknoor Rural Police Station,
Theni District.
Crime No.68 of 2025.

... Respondent/Complainant

For Petitioners : Mr. R.Senthilkumar
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-31AB. For Anticipatory Bail in Crime no.68 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 03.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant an order of pre-arrest bail.

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2. The petitioners / A1 to A4 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, in Crime No.68 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due previous enmity, on 27.02.2025 at about 1.00 am, the petitioners herein abused the defacto complainant and his mother in filthy language and when the same was questioned by the defacto complainant's mother, they pushed her down. When the defacto complainant questioned the same, they attacked the defacto complainant with iron bike bumper, causing injuries and threatened him with dire consequences. Hence, the case.

4. Mr.R.Senthil Kumar, the learned counsel for the petitioners, submits that the petitioners are innocent persons, 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.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the injured has taken treatment as an out-patient. He further submits that it is a case in counter and the counter case



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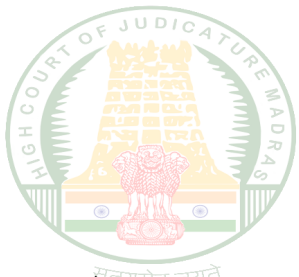
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was registered in Crime No.69 of 2025 on the file of the respondent- Police. He further submits that the investigation of the case is pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant, his family members and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners have permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same, and also considering the facts and circumstances of the case and the nature of offence alleged against the petitioners, and taking note of the fact that the injured was treated as an out-patient, 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, Bodinayakanoor, 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/-



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(Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Bodinayakanoor.

(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, Bodinayakanoor shall obtain a copy of any one of identity proofs to ensure their identity.

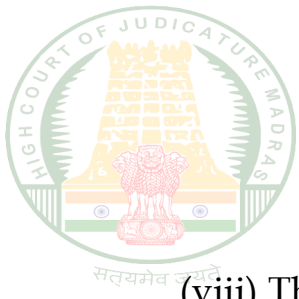
(iii) The petitioners 1, 2 and 4 shall appear and sign before the respondent-police weekly twice ie., on every Monday and Friday at 10.00 am until further orders. Since the 3rd petitioner is suffering from a spinal cord injury, he shall appear before the respondent - Police as and when required for interrogation.

(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 also not directly or indirectly cause any threat to the defacto complainant, his family members and witnesses and tamper with evidence.

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



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

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

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

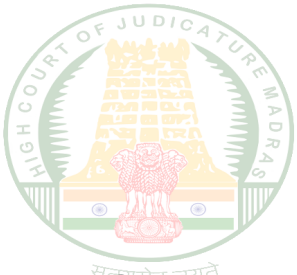
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
18.03.2025

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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp



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TO
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1. The Judicial Magistrate, Bodinayakanoor
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Inspector of Police,
Bodinayaknoor Rural Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-3026[I] dated 18/03/2025)

ORDER
IN

CRL OP(MD) No.4116 of 2025

Date : 18/03/2025

SL(03.04.2025)/ 6P/ 6C

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