



CRL OP(MD). No.4132 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4132 of 2025

1. Murugan
2. Jothimani
3. Pitcha Kutti
4. Elayaraja

... Petitioners/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kulithalai Police Station,
Karur District.

(Crime No.119 of 2025)

(Amended as Per Order of the Court dated 11.03.2025 in CrI.M.P.(MD).No.3248 of 2025 in CrI.O.P.(MD).No.4132 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.V.Karuna,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (CrI.Side)



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PRAYER :-

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For Anticipatory Bail in Crime No.119 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 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 296(b), 118(1), 351(3) of BNS, 2023 in Crime No.119 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioners and the defacto complainant are close relatives. On 19.02.2025, a wordy quarrel arose between the petitioners and the defacto complainant while taking water from a common well. During the altercation, the petitioners allegedly abused the defacto complainant in filthy language and physically attacked him. Hence, the case.

4. Mr.V.Karuna, the learned counsel for the petitioners, submits that the petitioners are innocent persons and that they have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays to grant pre-arrest bail to the petitioners.



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5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioners herein attacked the defacto complainant with hands, due to which he sustained grievous injuries. He further submits that the defacto complainant was admitted in the hospital on 22.02.2025 and discharged on 14.03.2025. He further submits that if pre-arrest bail is granted to the petitioners, they will cause threat to the defacto complainant and witnesses. He further submits that the third petitioner has not been arrayed as an accused in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Since the third petitioner has not been included as an accused in this case, there is no apprehension of arrest at the hands of the respondent-Police. Hence, this petition stands dismissed insofar as the third petitioner.

8. In view of the offence allegedly committed by the first, second and fourth petitioners, i.e., they attacked the defacto complainant severely, due to which he was hospitalized for more than 20 days, this Court is of the opinion that if pre-arrest bail is granted to the first, second and fourth petitioners, they may cause threat to the defacto complainant again. Hence, this Court is not inclined to grant pre-arrest bail



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to the first, second and fourth petitioners.

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9. Accordingly, this Criminal Original Petition stands dismissed insofar as the first, second and fourth petitioners.

sd/-
25/03/2025

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

TSG
TO

1.The Inspector of Police,
Kulithalai Police Station,
Karur District.

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

ORDER
IN
CRL OP(MD) No.4132 of 2025
Date :25/03/2025

MK/SAR /15.04.2025 4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023