



CRL OP(MD). No.4195 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4195 of 2025

1. Kumar @ Kumaravel

2. Tamilselvan

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
M.Reddiapatti Police Station,
Virudhunagar District.
Crime No.37 of 2025.

... Respondent/Complainant

For Petitioners : Mr.K.Seenuramachandran

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.37 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 04.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



CRL OP(MD). No.4195 of 2025

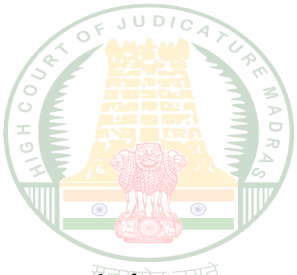
WEB COPY

2. The petitioners/Accused Nos.1 and 2 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2), 118(1), & 351(2) of the Bharatiya Nyaya Sanhita (BNS) 2023, in Crime No.37 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant and the petitioners are neighbours. When the petitioners' goat went to the house of the defacto complainant, the defacto complainant chased away the goat, due to which, on 01.03.2025, at about 9.30 p.m., the petitioners abused the defacto complainant in filthy language and attacked him on his right side forehead with wooden stick and also threatened him with dire consequences. The defacto complainant sustained injury on his right side forehead. Hence, the case.

4. Mr.K.Seenuramachandran, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons, and they have not committed any offence as alleged by the prosecution. He further submits that a false case has been foisted against the petitioners. He however submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioners attacked the



CRL OP(MD). No.4195 of 2025

उत्तमो व जयते
WEB COPY

defacto complainant with wooden stick, due to which, he sustained injury on his right side forehead. The defacto complainant was admitted in the hospital on 02.03.2025 and discharged on 05.03.2025. He further submits that the petitioners have no previous case. He further submits that if pre-arrest bail is granted to the petitioners, they may cause threat the defacto complainant. 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. Hence, there is less possibility of absconding. The injured was admitted in the hospital on 02.03.2025 and discharged on 05.03.2025. Considering the same, and considering the facts and circumstances of the case and the fact that the petitioners are first offenders, and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Aruppukottai, 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) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to



CRL OP(MD). No.4195 of 2025

the satisfaction of the learned Judicial Magistrate, Aruppukottai;

WEB COPY

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

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

(iv) The petitioners shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

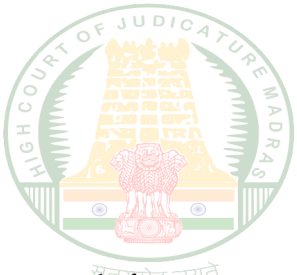
(v) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(vi) The petitioners shall not enter into the house or work place of the defacto complainant;

(vii) 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;

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

(ix) The petitioners shall not, directly or indirectly, cause any threat to the



CRL OP(MD). No.4195 of 2025

defacto complainant and witnesses and shall not tamper the evidence; and

WEB COPY

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Aruppukottai, 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/-
06.03.2025

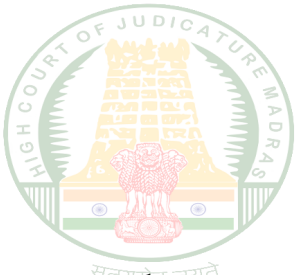
/ TRUE COPY /

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

APD

TO

1. The Judicial Magistrate,
Aruppukottai.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur



CRL OP(MD). No.4195 of 2025

3. The Inspector of Police,
M.Reddiapatti Police Station,
Virudhunagar District.

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

+ 1cc to Mr.SEENU RAMACHANDRAN, Advocate (SR-2501[I] dated 06/03/2025)

ORDER

IN

CRL OP(MD) No.4195 of 2025

Date : 06/03/2025

SL(21.03.2025)/ 6P/ 6C

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