



CRL OP(MD). No.4188 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4188 of 2025

1.Muthu
2.Barath
3.Keerthana

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Valanadu Police Station,
Trichy District.
Cr. No.17 of 2025.

... Respondent/Complainant

For Petitioners : Mr.B.Prasanna Vinoth

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.17 of 2025 on the file of the respondent-Police.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.4188 of 2025

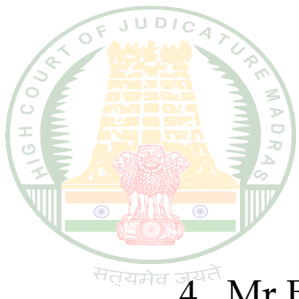
WEB COPY

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.

2. The petitioners/Accused Nos.1 to 3 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2), 118(1) & 351(3) of the Bharatiya Nyaya Sanhita (BNS) 2023, in Crime No.17 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that on 08.02.2025, at about 12.30 p.m., when the defacto complainant and his sons, were standing in front of his younger brother Nallasamy's house, the first petitioner/A1, who is an another younger brother of the defacto complainant along with his son/A2 came there and quarrelled with them. A1 attacked the defacto complainant with hands and A2, who is the daughter of the first petitioner/A1, also came there later and attacked the defacto complainant with wooden log. A3 also abused him with filthy language. Hence, the case.



CRL OP(MD). No.4188 of 2025

WEB COPY

4. Mr.B.Prasanna Vinoth, the learned counsel appearing for the petitioners, submits that this is the case in counter and the petitioners are innocent persons and also they have not committed any offence as alleged by the prosecution. He further submits that a false case has been foisted against the petitioners, due to pending civil dispute. He further 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 defacto complainant and the first petitioner/A1 are brothers and the petitioners 2 and 3/A2 and A3 are the son and daughter of A1, respectively. He further submits that the injured was admitted in the hospital on 02.02.2025 and discharged on 07.02.2025. He further submits that the petitioners 1 to 3 have four, three and two previous cases, respectively. He further submits that if pre-arrest bail is granted, the petitioners may commit similar type of offence and may threat the defacto complainant and other witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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



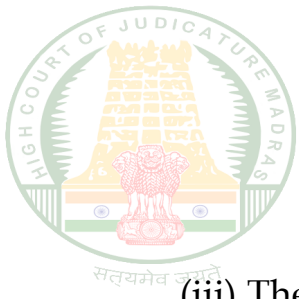
CRL OP(MD). No.4188 of 2025

WEB COPY

7. The defacto complainant and petitioners are relatives. Due to the civil dispute, the occurrence happened. This is the case in counter. The injured was admitted in the hospital on 02.02.2025 and discharged on 07.02.2025. Considering the same and considering the facts and circumstances of the case and the nature of offence allegedly committed by the petitioners, and with a view to give one more 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, Manapparai, Trichy, 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 Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Manapparai, Trichy;

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



CRL OP(MD). No.4188 of 2025

WEB COPY

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

(iv) Thereafter, the first petitioner/A1 shall appear and sign before the respondent-Police daily at 10.00 a.m., and the petitioners 2 and 3/A2 and A3 shall appear and sign before the respondent-police weekly once i.e., on every Sunday, 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, 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 enter into the defacto complainant's house or workplace;

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

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Manapparai, Trichy, or Trial Court as the case may be, is entitled to pass



CRL OP(MD). No.4188 of 2025

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/-
13/03/2025

/ TRUE COPY /

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

APD

TO

1 THE JUDICIAL MAGISTRATE
MANNAPARAI, TRICHY.

2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY,

3 THE INSPECTOR OF POLICE,
VALANADU POLICE STATION,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CRL OP(MD). No.4188 of 2025

WEB COPY

+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-2801[I] dated 14/03/2025)

ORDER

IN

CRL OP(MD) No.4188 of 2025

Date :13/03/2025

HPS/SKN/SAR- /01/04/2025/ 7P/6C

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