



CRL OP(MD). No.4401 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4401 of 2025

Karthick

... Petitioner/ A1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Koodakovil Police Station,
Madurai District.
Crime No.17 of 2025.

... Respondent/Complainant

For Petitioner : Mr.P. Edin Brough
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.17 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 petitioner on 06.03.2025



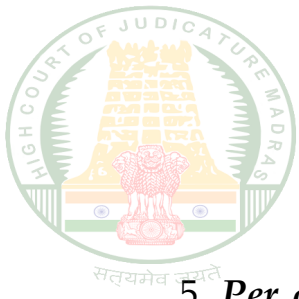
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under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant pre-arrest bail.

2. The petitioner / accused No.1, apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2), 351(3), 303 of BNS and Section 4 TNPWH Act and Section 25(1A) of Arms Act, in Crime No.17 of 2025, on the file of the respondent police, seeks bail.

3. The case of the prosecution is that on 17.01.2025, at about 18.00 hours, due to previous enmity, the petitioners along with other accused persons, in an inebriated condition, abused the defacto complainant, who is handicapped, by mocking her disability. Hence, the case.

4. Mr.P.Edin Brough, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.



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5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that this is a second pre-arrest bail petition and the earlier petition filed by the petitioner was dismissed by this Court, *vide* order dated 14.02.2025 in Crl.O.P(MD).No.2742 of 2025. He further submits that the investigation of the case is pending and hence, he strongly opposes to grant pre-arrest bail to the petitioner.

6. Heard both sides and perused the records.

7. This Court has specifically put up the question about the change of circumstances. The counsel for the petitioner is not able to state anything about the change of circumstances. In view of the facts and circumstances and it is settled position of law that without change of circumstances, successive bail application is not maintainable, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/03/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE INSPECTOR OF POLICE
KODAKOVIL POLICE STATION
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.4401 of 2025

Date :28/03/2025

SS/SAR- /02/05/2025/ 4P/3C

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