



CRL.OP(MD). No.4330 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4330 of 2025

1.S.Mahendran

2.M.Muthukumar

... Petitioners/ A1 & A2

Vs.

The State of Tamil Nadu,
rep., by the Sub-Inspector of Police,
Sernthamaram Police Station,
Tenkasi District.

Crime No.89 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioners on bail in
the event of their arrest in Crime No.89 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.J.Karthick

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.03.2025
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
to grant an order of pre-arrest bail.

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



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2. When the matter came up for hearing, the learned Government Advocate (Crl.side) submits that initially the respondent police registered a case against the petitioners for the offences punishable under Sections 296(b), 118(1) and 351(2) of BNS, 2023. During investigation, the respondent police altered Sections to 296(b), 351(2) and 295 of BNS, which are bailable in nature. The respondent-police has filed an alteration reported dated 02.03.2025.

3. In view of the alteration report, the alleged offences are bailable in nature. Hence, the petition under Section 482 of BNSS is not maintainable. Therefore, this Criminal Original Petition is dismissed. It is needless to mention that the petitioners are at liberty to surrender before the learned Judicial Magistrate and file a regular bail application, if they are so desired/adviced.

sd/-
07.03.2025

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

Rmk



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1.The Sub-Inspector of Police,
Sernthamaram Police Station,
Tenkasi District.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-2563[I] dated 07/03/2025)

Order made in
CRL.OP(MD). No.4330 of 2025
07.03.2025

SL(21.03.2025)/ 3P/ 4C

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