



CRL OP(MD). No.4442 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4442 of 2025

Manohar

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
K.Pudupatti Police Station,
Pudukottai District.
In Crime No. 82 of 2024.

.. Respondent/ Complainant

For Petitioner : Mr. N. Balasubramanian
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

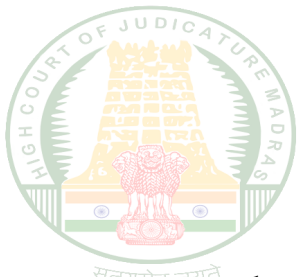
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No. 82 of 2024 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 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



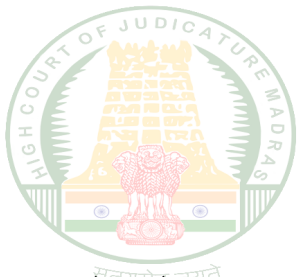
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2. The petitioner / Accused No.4 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 294(b), 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.82 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the husband of the defacto complainant died on 15.06.2024. On 16.06.2024, one Sathappan was coming for attending her husband's funeral and at that time, there was a wordy quarrel between the parties and that the petitioner herein has attacked the said Sathappan and thereby, caused injuries. Hence, the case.

4. Mr.N.Balasubramanian, the learned counsel for the petitioner, submits that the petitioner herein has already filed anticipatory bail petition before this Court in Crl.O.P(MD).No.10411 of 2024 and the same was allowed on 12.07.2024, thereafter, the petitioner cannot come forward to produce the surety within the time prescribed by this Court and thereafter, filed an extension petition in Crl.M.P(MD).No.11697 of 2024 and the same was allowed on 30.10.2024 on payment of Rs.10,000/- to the credit of Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai - 625 023 and the petitioner has also paid the amount on 04.12.2024. Since the petitioner was not in a position to execute the surety within the time stipulated by this Court, he has filed another extension petition in Crl.M.P



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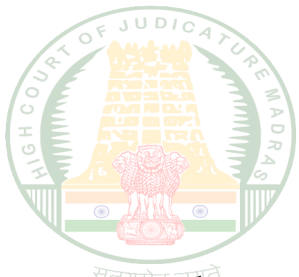
(MD).No.479 of 2025 and the same was dismissed by this Court with liberty to file a fresh pre-arrest bail petition. Hence, the petitioner has filed the present petition seeking pre-arrest bail. He submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further 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.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that there is no previous case pending against the petitioner.

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

7. Considering the facts and circumstances and considering the fact that the petitioner has already deposited a sum of Rs.10,000/- as ordered by this Court, dated 30.10.2024, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Thirumayam, Pudukkottai District, 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) along with two sureties each for a like sum of Rs.10,000/- (Rupees



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Ten Thousand only) to the satisfaction of (*)the learned Judicial Magistrate,
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Thirumayam, Pudukkottai District.

(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 shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police weekly twice ie., on every Monday and Friday at 10.30 a.m until further orders.

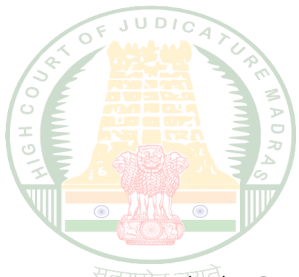
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner 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.

(vi) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.



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(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner 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/-
19.03.2025

(*)Amended as per the order of this court dated 09.04.2025 made in CRL OP(MD)No.4442 of 2025.

Further time for executing the sureties is extended for a period two weeks from the date of receipt of a copy of this order.

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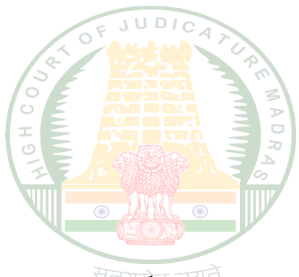
/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To be Substituted to the order which is already despatched on 04.04.2025

TO

1. The Judicial Magistrate, Thirumayam, Pudukkottai District,
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.



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3. The Inspector of Police,
K.Pudupatti Police Station,
Pudukottai District.

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

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-3151[I] dated 20/03/2025)

ORDER
IN
CRL OP(MD) No.4442 of 2025
Date : 19/03/2025

SL(03.04.2025)/ 6P/ 6C

PR(22.04.2025)/ 6P/ 6C

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