



CRL OP(MD). No.4381 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4381 of 2025

Sajin,
S/o. Shiyam Sundar,
No. 9/580, 5th Cross Street,
Kamarajar Nagar,
Kattupatty,
Manaparai Taluk,
Trichy District.

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Viralimalai Police Station,
Viralimalai,
Pudukottai District.
(Crime No. 59 of 2025)

... Respondent/Complainant

For Petitioner : Mr.T.Vadivelan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 59 of 2025 on the file of the respondent-Police.

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



CRL OP(MD). No.4381 of 2025

ORDER : The Court made the following order :-
WEB COPY

This Criminal Original Petition has been filed by the petitioner on 06.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Sole Accused apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 316(5), 344 and 318(4) of BNS, 2023 in Crime No.59 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that the defacto complainant is working as an Assistant Superintendent of Post Office at Pudukottai District. The allegation against the petitioner is that the petitioner herein misappropriated a sum of Rs.27,000/- of the customers' savings money. As a result, the affected customers made a representation to the defacto complainant. Therefore, the defacto complainant registered a case against the petitioner herein.

4. Mr.T.Vadivelan, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the investigation. Accordingly, he prays for granting pre-arrest bail to the petitioner.



CRL OP(MD). No.4381 of 2025

WEB COPY

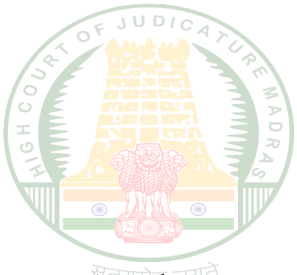
5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that alleged amount of Rs.27,000/- has been repaid by the petitioner herein. He however submits that if pre-arrest bail is granted to the petitioner, he will commit the similar offence once again. Hence, he vehemently opposes to grant bail to the petitioner.

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

7. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding. Considering the same and also considering the fact that the alleged amount has been repaid by the petitioner herein and hence, with a view to give an opportunity to the petitioner to reform himself, 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, Viralimalai, within a period of 15 days from 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) 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, Viralimalai;

(ii) The sureties shall affix their photographs and left thumb impression in the



CRL OP(MD). No.4381 of 2025

WEB COPY

Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Viralimalai 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 (i.e., on Monday and Friday) at 10.00 a.m., until further orders;

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

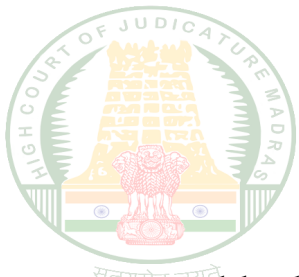
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall not leave India without the previous permission of the Court;

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

(viii). The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Viralimalai; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Viralimalai, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are



CRL OP(MD). No.4381 of 2025

WEB COPY

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/-
14.03.2025

/ TRUE COPY /

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

TSG

TO

1.The Judicial Magistrate, Viralimalai.

2.Do through the Chief Judicial Magistrate,
Pudukkottai District.

3.The Inspector of Police,
Viralimalai Police Station,
Viralimalai, Pudukottai District.

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

+1 CC to M/s.T.VADIVELAN, Advocate (SR-3029[I] dated 18/03/2025)



WEB COPY



CRL OP(MD). No.4381 of 2025

ORDER
IN
CRL OP(MD) No.4381 of 2025
Date : 14/03/2025

SL(02.04.2025)/ 6P/ 6C

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