



CRL.OP(MD). No.4428 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4428 of 2025

1.Siva

2.Jegadeeswaran

3.Mahendran @ Pon Mahendran ... Petitioners/ A1 to A3

Vs.

The State of Tamil Nadu,
rep by the Inspector of Police,
Bazar Police Station,
Ramanathapuram.
Crime No.38 of 2025

... Respondent / Complainant

For Petitioners : Mr.B.Mahendrarajan

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.38 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 petitioners on 06.03.2025 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>



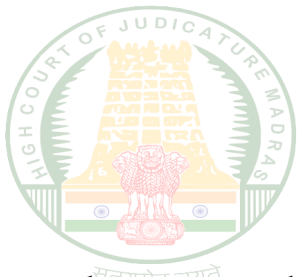
CRL.OP(MD). No.4428 of 2025

WEB COPY

2. The petitioners apprehend arrest at the hands of the respondent- police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023, in Crime No.38 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 12.02.2025 at about 12.15 am., the defacto complainant and his brother were proceeding in a two- wheeler near the Division Road, 4th Street, Neelakani Oorani Sriram Nagar. At that time, the accused persons waylaid them, demanded money by showing knife, and abused them in filthy language. A1 assaulted the defacto complainant with a knife on the left side of his head, left ear and back of his head. A2 assaulted the defacto complainant's brother with a knife on his right wrist and left eyebrow. A3 kicked the defacto complainant, caused injuries and also threatened them with dire consequences. Hence, the case.

4. Mr.B.Mahendrarajan, the learned counsel for the petitioners, submits that the petitioners are innocent persons, and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case. He however submits that the petitioners are ready to abide



CRL.OP(MD). No.4428 of 2025

सत्यमेव जयते
WEB COPY

by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (crl.side) appearing for the respondent-police, submits that in this case, there are totally 3 accused persons and that A3 got arrested on 07.03.2025 and therefore, as regards A3, this petition became infructuous. He further submits that the defacto complainant was admitted in the hospital on 12.02.2025 and discharged from the hospital on 19.02.2025. He further submits that if pre-arrest bail is granted to A1 and A2, they will commit the same offence and cause threat to the defacto complainant and his brother. Hence, he strongly opposes to grant pre-arrest bail to the petitioners.

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

7. In view of the submission of the learned Government Advocate (Crl.side) that A3 was arrested on 07.03.2025, this Criminal Original Petition is dismissed as infructuous insofar as A3 is concerned.



CRL.OP(MD). No.4428 of 2025

WEB COPY

8. Insofar as A1 and A2 are concerned, in view of the nature of the offence allegedly committed by the petitioners, this Court is of the opinion that if pre-arrest bail is granted to A1 and A2, they may commit the same offence and cause threat to the defacto complainant, his brother and other witnesses. Hence, this Court is not inclined to grant pre-arrest bail to A1 and A2. Accordingly, this Criminal Original Petition is dismissed as far as A1 and A2 are concerned.

sd/-
11.03.2025

/ TRUE COPY /

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

Rmk

To

1.The Inspector of Police,
Bazar Police Station,
Ramanathapuram.

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



WEB COPY



CRL.OP(MD). No.4428 of 2025

Order made in
CRL.OP(MD). No.4428 of 2025
11.03.2025

SL(25.03.2025)/ 5P/ 3C

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