



CRL OP(MD). No.4432 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4432 of 2025

James Michal Prince Alias Prince

... Petitioner/ A2

Vs

The State of Tamil Nadu,,
Rep by the Inspector of Police,
Manamadurai Police Station,
Manamadurai,
Sivagangai District.
(Crime No. 475 of 2024).

... Respondent/ Complainant

For Petitioner : Mr. R.Senthilkumar
Advocate.

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. 475 of 2024 on the file of the respondent-Police.



CRL OP(MD). No.4432 of 2025

ORDER: The Court made the following order :-

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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.

2. The petitioner/Accused No.2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 406 and 506(i) of IPC, in Crime No.475 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that A1 has borrowed a sum of Rs.2,50,000/- from the defacto complainant. Whenever the defacto complainant has requested the money, the accused persons have been threatening him. On 10.05.2024, at about 10.00 am, when the defacto complainant again requested money, the petitioner herein and other accused persons abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the case.

4. Mr.R. Senthil Kumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person, 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.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal



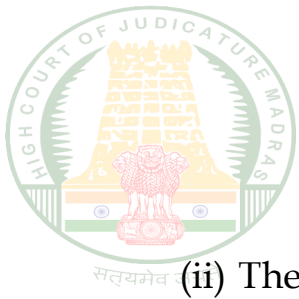
CRL OP(MD). No.4432 of 2025

Side) appearing for the respondent-police, submits that there is no previous case pending against the petitioner. He further submits that the investigation of the case is still pending and therefore, at this stage, if pre-arrest bail is granted to the petitioner, he may commit similar offence and cause threat to the defacto complainant and the witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Further, the petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same, and also considering the facts and circumstances of the case and the nature of offence, and 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, Manamadurai 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Manamadurai.



CRL OP(MD). No.4432 of 2025

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(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 once i.e., on every Sunday at 10.00 am 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 furnish his residential address and mobile number to the concerned Magistrate.

(viii) The petitioner, shall not directly or indirectly cause any threat to the defacto complainant and the witnesses and shall not enter into the house and workplace of the defacto complainant.

(ix) On breach of any of the aforementioned conditions, the learned Judicial



CRL OP(MD). No.4432 of 2025

Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders
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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/-
11/03/2025

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

trp
TO

1 THE JUDICIAL MAGISTRATE
MANAMADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT.

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

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



CRL OP(MD). No.4432 of 2025

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ORDER
IN
CRL OP(MD) No.4432 of 2025
Date :11/03/2025

HPS/SAR / 01.04.2025/6P/6C

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