



CRL.OP(MD). No.4530 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4530 of 2025

Murali Krishnan

... Petitioner / Accused No.3

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
(Crime No.456 of 2024)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.456 of 2024 on the file of the respondent police.

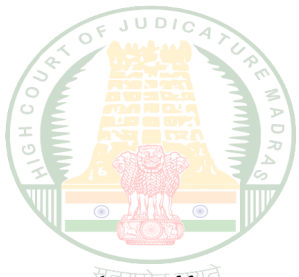
For Petitioner : Mr.J.Leo Daniel Kavim,
Advocate

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 petitioner on 07.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for



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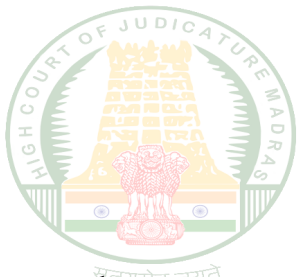
the offences punishable under Section 309(6) of BNS, 2023, in Crime No.456 of 2024 on the file of the respondent-police.

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3. The case of the prosecution is that the defacto complainant has been working in Dubai for the past six years and returned to his hometown three months ago. On 25.09.2024, at about 2:30 P.M., the defacto complainant, having no friends in his hometown, sought to make new acquaintances through the mobile application Grindir. Through this application, he engaged in a conversation with an individual and arranged to meet him at Pillayarpatti Roundana on the same day. After meeting the defacto complainant, the accused led him towards Vannarapettai Bridge, where he deceitfully asked the defacto complainant to stop his vehicle, pretending he needed to urinate. The first accused then attacked the defacto complainant with a knife-like weapon on his right shoulder, causing injuries, and coerced him into abandoning his vehicle in a forested area. Suddenly, three other accused persons appeared, and together with the first accused, they forcefully abducted the complainant to a secluded area. There, the defacto complainant was brutally assaulted and robbed of a 3 sovereign gold chain, a 3/4 sovereign gold ring, an Honor 8X mobile phone, and a Bajaj Pulsar 150 motorcycle belonging to him. Hence, the case.

4. Mr.J.Leo Daniel Kavin, the learned counsel for the petitioner, submits that

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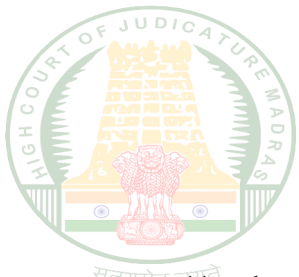
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the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the properties were recovered from the accused persons. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally seven accused persons in this case and the petitioner has been arrayed as A3. He further submits that investigation of the case is still pending and some properties have not yet been recovered. Therefore, at this stage, if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant and tamper with the evidence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the nature of the offence alleged against the petitioner and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:



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(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 No.II, Thanjavur, 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.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 No.II, Thanjavur.

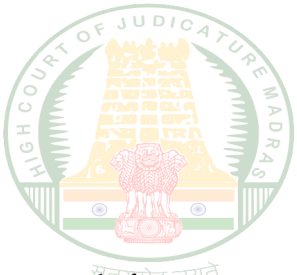
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police weekly once i.e., on every Monday 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 also not, directly or indirectly, cause any threat to the



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defacto complainant and witnesses and shall not tamper the evidence.

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(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.

(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].

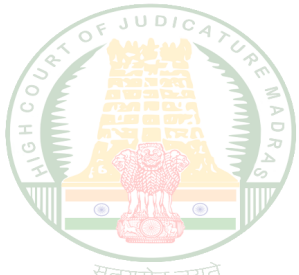
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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11.03.2025

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

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To
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- 1.The Judicial Magistrate No.II,
Thanjavur.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.OP(MD). No.4530 of 2025
11.03.2025

SL(25.03.2025)/ 6P/ 5C

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