



CRL OP(MD). No.4749 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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J.P.Stalin

... Petitioner/ Accused
(Rank not known)

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
Crime No. 107/2025.

... Respondent/Complainant

For Petitioner : Mr.P.Gunasekaran,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.107 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 11.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused (Rank not known) apprehends arrest at the hands of the respondent-Police. Initially, the case was registered under Section 194 of BNSS, 2023, which was subsequently altered into offence punishable under Section 108 of BNS, 2023 in Crime No.107 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 06.03.2025, at about 03.00 a.m., one Kumaravel consumed poison, since he could not repay the loan to the creditors. Thereafter, the said Kumaravel was admitted in a private hospital and he died in the hospital. Hence, the case.

4. Mr.P.Gunasekaran, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and that he has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioner appeared before the



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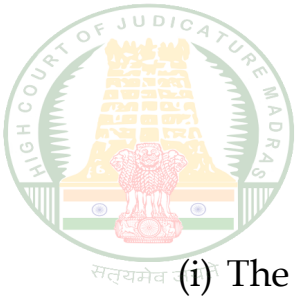
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respondent-Police on 28.03.2025 and the respondent-Police recovered the pronote from the petitioner. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that if pre-arrest bail is granted to the petitioner, he may abscond and thereby cause delay to the investigation proceedings. He further submits that the investigation is almost completed and the respondent-Police is going to file a charge sheet before the concerned Court very shortly. Hence, he vehemently opposes to grant pre-arrest bail to the petitioner.

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

7. Considering the facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding, 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.



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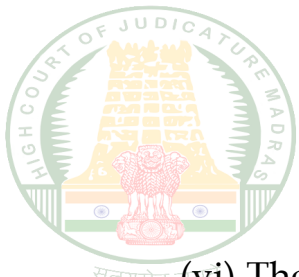
(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate II, Kumbakonam, Thanjavur District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties, each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate II, Kumbakonam, Thanjavur 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 II, Kumbakonam, Thanjavur District, 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 daily at 09.00 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;



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Court;

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

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate II, Kumbakonam, Thanjavur District;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate II, Kumbakonam, Thanjavur District 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].

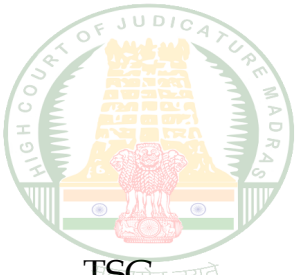
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
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/05/2025

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



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TSG
TO
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1.THE JUDICIAL MAGISTRATE II,
KUMBAKONAM, THANJAVUR DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE ,
THANJAVUR DISTRICT AT KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to P.GUNASEKARAN Advocate SR.No.4022 (I) DT.07/04/2025

ORDER IN
CRL OP(MD) No.4749 of 2025
Date :04/04/2025

PR/13.05 .2025 6P/6C

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