



CRL OP(MD). No.4898 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/03/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Chinnasamy
2. Arumugam
3. Adakalaraj @ Raja
4. Vellaichamy @ Ramaiah
5. Adaikkan

... Petitioners/ Accused rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.
Crime No. 41/2025.

... Respondent/ Complainant

For Petitioner : Mr.K. Sivabalan
For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No.41 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 13.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant an order of pre-arrest bail.

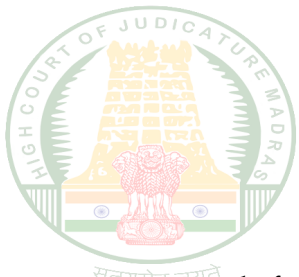
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2. The petitioners / Accused rank not known apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 132, 296(b), 115(2), 351(3) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.41 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 28.02.2025 upon the secret information received by the respondent went into the forest and caught the petitioners along with 1st accused while they were attempting to hunt the wild animals. When the respondent - police questioned the petitioners, the petitioners said to have attacked the Police officials and also snatched the mobile phone of the Police officials. Hence, the case.

4. Mr.K.Sivabalan, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have been falsely implicated in this case. However, he submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners .

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the mobile phone was



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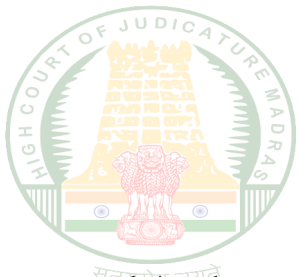
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recovered from the forest area and the offence committed by the petitioners is against the women officer. He further submits that if the pre-arrest bail is granted to the petitioners, they will commit the similar offence. He further submits that the investigation of the case is pending and therefore, at this stage if the pre-arrest bail is granted to the petitioners, they may abscond and delay the trial proceedings. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the materials available on record.

7. In view of the recovery of Cell Phone, this Court is of the opinion that custodial interrogation of the petitioners is not necessary in this case. Further, the petitioners have permanent residence and therefore, there is less possibility of absconding. Considering the same, and also considering the facts and circumstances of the case and taking note of the fact that there is no previous case pending against the petitioners and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Ponnamaravathi 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



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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, Ponnamaravathi.

(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, Ponnamaravathi, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the respondent-Police, daily at 10.30 am until further orders.

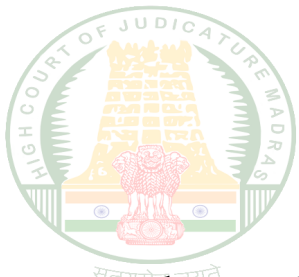
(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners 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 petitioners shall not leave India without the previous permission of the Court.

(vii) The petitioners shall not enter into the defacto complainant's house or her work place.

(viii) The petitioners shall furnish their residential address and mobile



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numbers to the learned Judicial Magistrate, Ponnamaravathi.

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(ix) The petitioners shall not directly or indirectly cause threat to the defacto complainant and the witnesses and tamper with the evidence.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Ponnamaravathi or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them 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.

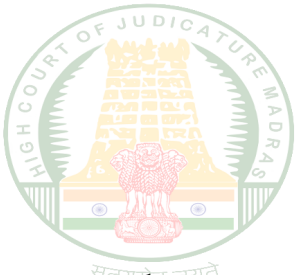
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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1. The learned Judicial Magistrate, Ponnamaravathi
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.



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

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-3214[I] dated 21/03/2025)

ORDER
IN
CRL OP(MD) No.4898 of 2025
Date : 19/03/2025

SL(03.04.2025)/ 6P/ 6C

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