



CRL OP(MD). No.5763 of 2025

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

Date : 28/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5763 of 2025

Muthamilselvan

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Tiruchuli Police Station,
Virudhunagar District.
Crime No.247/2022.

... Respondent/Complainant

For Petitioner Mr.S.Ezhilraj
Advocate.

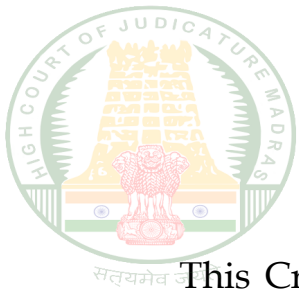
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No.247 of 2022 on the file of the respondent - Police.

ORDER : The Court made the following order :-



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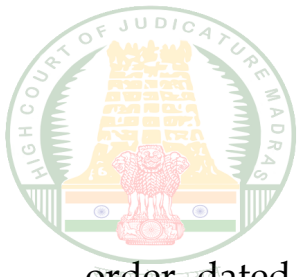
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This Criminal Original Petition has been filed by the petitioner on 26.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused No.1 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 294(b), 323, 324, 427, 448, 506(ii) of IPC r/w. 4 of TNPHW Act in Crime No.247 of 2022 on the file of the respondent-police.

3. The case of the prosecution is that because of the bad antecedents of the petitioner, the defacto complainant's paternal uncle refused for marriage of her daughter with the petitioner. Due to that motive, on 16.12.2022 at about 5.30 am., the petitioner herein abused the defacto complainant in filthy language and also attacked him using wooden log. Thereafter, on the same day at about 6.30 pm, the petitioner threatened the family members of defacto complainant's uncle and also attacked them using knife. Hence, the case.

4. Mr.S.Ezhilraj, learned counsel for the petitioner appeared through Video Conferencing and submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He further submits that earlier, the petitioner has filed Crl.O.P(MD).No.16912 of 2023 and the same was dismissed by this Court vide



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order, dated 20.09.2023. He further submits that since the occurrence took place in the year, 2022 and the investigation might be concluded, custodial interrogation of the petitioner may not be necessary. Accordingly, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, M.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are 7 previous cases pending against the petitioner including a case for the offences punishable under Section 302 IPC. He further submits that if the pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses and thereby, delay the investigation. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. This Court has specifically put up a question about the change of circumstances, to which the learned counsel appearing for the petitioner answered that the petitioner is a student and the investigation might be completed at this time. The learned Government Advocate (Crl side) specifically submits that the investigation is not completed. In view of the facts and circumstances and in view of the fact that there is no change of circumstances, this Court is not inclined to grant pre-arrest bail to the petitioner. Moreover, successive bail applications



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without change in circumstances is not maintainable. On the ground also, this
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Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/03/2025

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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 Inspector of Police,
Tiruchuli Police Station, Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5763 of 2025
Date :28/03/2025

NBF/SAR /30.04.2025 4P/3C

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