

CRL OP(MD). No.5042 of 2025

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

Date : 23/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5042 of 2025

Premkumar

... Petitioner/ Accused(Rank not known)

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Vathalai Police Station,
Trichy District.
In Cr. No. 24 of 2025

... Respondent/ Complainant

For Petitioner : Mr.Maheswaran R,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

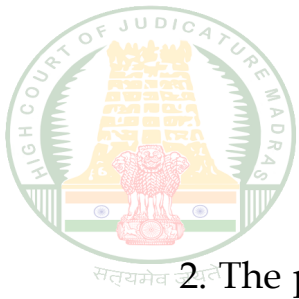
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No. 24 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 petitioner on 17.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.



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2. The petitioner / Accused (Rank not known) apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 126(2), 296(b), 324(2), 115(2), 309(4) and 311 of BNS, 2023 in Crime No.24 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 02.03.2025, at about 11:00 a.m., the defacto complainant, along with his family members, went to attend relatives' family function at Sirukambur in his car bearing Registration No. TN-38-CS-2010. After attending the function, they returned home at about 4:40 a.m. When they reached the Vathalai bus stop, three persons, carrying deadly weapons, waylaid the car. However, the defacto complainant did not stop the vehicle. The accused persons then followed, waylaid, stopped the car near the Gunaseelam bus stop, damaged both the left and right side doors of the car, attempted to snatch the jewels from his wife, and robbed Rs.1,500 from the defacto complainant's pocket. Hence, the case.

4. Mr.R.Maheswaran, 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 to be imposed by this Court. He further submits that without prejudice to the case of the petitioner, he is ready and willing to deposit a sum of Rs.25,000/- (Rupees Twenty



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Five Thousand only) to the credit of Crime No.24 of 2025 before the concerned Court. He therefore prays for grant of pre-arrest bail to the petitioner.

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5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused persons waylaid the car of the defacto complainant and damaged the right and left side door of the car and robbed a sum of Rs.1,500/- from the defacto complainant. He further submits that the defacto complainant sustained simple injury. He further submits that there is no previous case pending against the petitioner. However, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has no previous case. He is a first offender. Considering the undertaking given by the petitioner that he is ready and willing to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of crime number before the concerned Court, considering the fact that the petitioner has permanent residence and deep roots in the society, and therefore, there is a less possibility for absconding, 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 bail in the event of his arrest or in the



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event of his surrender before the learned Judicial Magistrate, Musiri, within a
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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, Musiri;

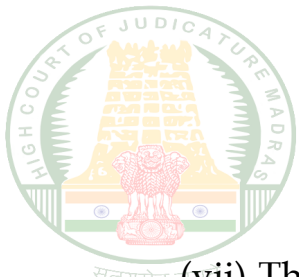
(ii) The sureties shall affix their photographs and left thumb impression in the
Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of
Practice, 2019']. The learned Judicial Magistrate, Musiri, shall obtain a copy of any
one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-Police daily at
10.30 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 not leave India without the previous permission of the
Court;



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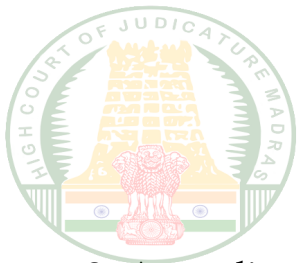
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(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Musiri;

(viii) The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Crime No.24 of 2025, before the learned Judicial Magistrate, Musiri. In turn, the learned Judicial Magistrate shall deposit the said amount in a nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.24 of 2025. The learned Judicial Magistrate or the trial Court, as the case may be, shall pass qua the entitlement of the deposit amount at the time of final order / Judgment;

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

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Musiri, 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].



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

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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.

TSG

TO

1.THE JUDICIAL MAGISTRATE, MUSIRI.

2.THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3.THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

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Date :23/04/2025

PR/27.05 .2025 6P/5C

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