



CRL OP(MD). No.5428 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5428 of 2025

Vishnu Deva

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
The Inspector of Police,
AWPS-Golden Rock Police Station,
Trichy City.
Crime No.6 of 2025

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For pre-arrest bail in Crime No.6 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



CRL OP(MD). No.5428 of 2025

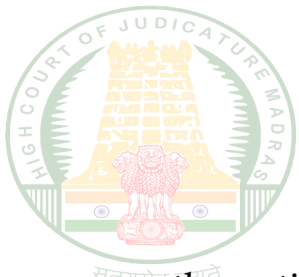
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This Criminal Original Petition has been filed by the petitioner on 20.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/Sole Accused apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 75(2) of Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.6 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as sanitary worker under the petitioner, who is working as Supervisor in a private company. On 19.02.2025, at about 7.15 a.m., when the defacto complainant came to company by late, petitioner questioned her about being late through one Vadivelu and later confronted her directly, as she walked away and on the same day, when the defacto complainant was cleaning the gents toilet, the petitioner pulled the defacto complainant's hand with an intention to sexually assault her. Hence, this case.

4. Mr.K.Arunraj, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that on 19.02.2025, the defacto complainant came to the company by late that was questioned by the petitioner and only to wreak vengeance, a false case has been foisted against the petitioner. He further submits that



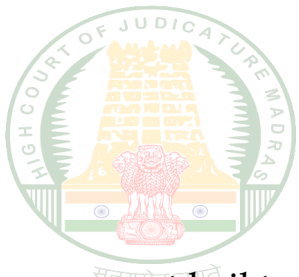
CRL OP(MD). No.5428 of 2025

now the petitioner is under suspension and the petitioner has no previous case. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, on instructions, submits that the petitioner has no previous case. He however submits that if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and other witnesses. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records and the averments made in the First Information Report.

7. Considering the fact that through the alleged incident said to be happened on 19.02.2025, the defacto complainant made complaint only on 25.02.2025, which is after termination of their job and also considering that the petitioner has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. The petitioner is under suspension and he has no previous case. Considering the said fact and considering the cumulative circumstance of this case, and taking into account of the fact that the custodial interrogation of the petitioner may not be necessary to the Investigating Agency, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-



CRL OP(MD). No.5428 of 2025

arrest bail to the petitioner subject to the following conditions:

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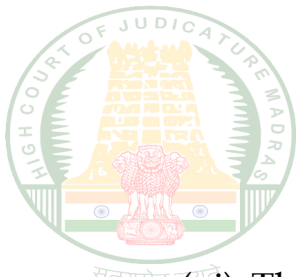
(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (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, Additional Mahila Court, Tiruchirappalli;

(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, Additional Mahila Court, Tiruchirappalli shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli;

(iv) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;



CRL OP(MD). No.5428 of 2025

WEB COPY

(vi) The petitioner shall not enter into the house or workplace of the defacto complainant;

(vii) The petitioner shall not try to contact the defacto complainant or his family members directly or through electronic mode;

(viii) 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;

(ix) The petitioner shall not leave India without previous permission of the Court;

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

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli, 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].



CRL OP(MD). No.5428 of 2025

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

sd/-
24/03/2025

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/04/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT,
TIRUCHIRAPPALLI

2 DO THOROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUCHIRAPPALLI.

3 THE INSPECTOR OF POLICE,
AWPS- GOLDEN ROCK POLICE STATION,
TRICHY CITY.

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

+1 CC to Mr. K. ARUNRAJ, Advocate (SR-3412[I] dated 25/03/2025)



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CRL OP(MD). No.5428 of 2025

ORDER
IN
CRL OP(MD) No.5428 of 2025
Date :24/03/2025

AS/SAR/ (09/04/2025) 7P / 6C

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