



CRL OP(MD). No.5484 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.Pitchai @ Sevugan
2.Balamurugan
3.Sethu
4.Thiyagu @ Thiyagarajan
5.Sivachandran
6.Prasath
7.Vaduganathan

... Petitioners/ A1 to A7

Vs

The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
Crime No. 44/2025.

.. Respondent/ Complainant

For Petitioners : Mr. Na. Palaniyandi
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.44 of 2025 on the file of the respondent-Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 21.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / A1 to A7 apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1) and 351 (3) of Bharathiya Nyaya Sanhita, 2023, r/w. Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.44 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to previous enmity arising out of temple dispute between two villagers regarding consecration, the petitioners herein along with other accused persons attacked the defacto complainant with lethal weapons, when the same was protected by her wife, they have also attacked her and abused in filthy language. Hence, the case.

4. Mr.Na.Palaniyandi, the learned counsel for the petitioners, submits that the petitioners are innocent persons, that they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submits that the it is a case and counter and the petitioners are ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of



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pre-arrest bail to the petitioners.

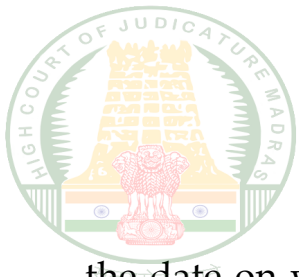
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5. *Per contra*, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the injured was discharged from the hospital. He further submits that the investigation of the case is pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that the defacto complainant has been discharged from the hospital and in view of the offence alleged against the petitioners, this Court is of the view that custodial interrogation of the petitioners is not necessary in this case. The petitioners have permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the nature of allegation 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 District Munsif – Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District within a period of 15 days from



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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) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned District Munsif – Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District.

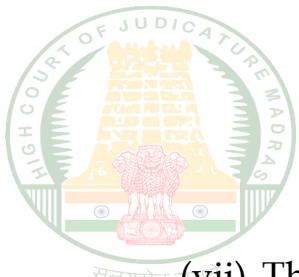
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned District Munsif – Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District, shall obtain a copy of any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

(iii) The petitioners shall stay at Thiruchirappalli and appear and sign before the Inspector of Police, Contonment Police Station, Trichirappalli daily twice at 10.00 am and 5.00 pm 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 also not directly or indirectly cause any threat to the defacto complainant and witnesses and tamper with evidence.



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the Court.

(vii) The petitioners shall not leave India without the previous permission of

(viii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif - Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District.

(ix) On breach of any of the aforementioned conditions, the learned District Munsif - Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District, 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 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/-
02/04/2025

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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



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TO
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1. The District Munsif – Cum - Judicial Magistrate, Ponnamaravathi, Pudukkottai District.
 2. The Chief Judicial Magistrate, Pudukkottai.
 3. The Inspector of Police, Contonment Police Station, Trichirappalli.
 4. The Sub Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to M/S.PALANIYANDI.NA Advocate SR.No.3862(I) DT.03.04.2025

ORDER IN
CRL OP(MD) No.5484 of 2025
Date :02/04/2025

PP/SAR. /30.04.2025/6P/7C

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