



CRL OP(MD). No.5646 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5646 of 2025

K.Ragavan

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,  
Rep by the Inspector of Police,  
Vasudevanallur Police Station,  
Tenkasi District.  
Crime No.109 of 2025.

... Respondent/ Complainant

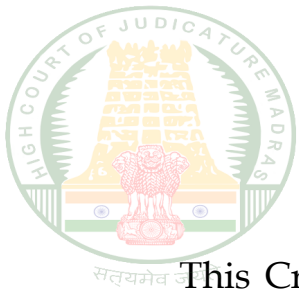
For Petitioner : Mr. K. Karansingh  
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS  
PRAYER :-

For Anticipatory Bail in Crime No.109 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.5646 of 2025

WEB COPY

This Criminal Original Petition has been filed by the petitioner on 24.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / A2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 126(2), 296(b), 115(2), 351(3) of BNS, 2023 and Section 4 of TNPHW Act, in Crime No.109 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to previous enmity between defacto complainant and A1 on 16.03.2025 at about 6.30 pm when the defacto complainant and her husband went to near Dharani Sugar factory the petitioner herein and other accused persons waylaid and attacked them and also abused him in filthy language. Hence, the case.

4. Mr.K.Karansingh, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and 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 therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, M.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that it is a case and counter and



CRL OP(MD). No.5646 of 2025

no one has sustained injury in the said occurrence. He further submits that the petitioner is having four previous cases and the investigation of the case is still pending and therefore, at this stage, if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses and commit the similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The allegation against the petitioner raise from the defacto complainant's marriage and petitioner has no bad antecedents and also has permanent residence and deep roots in the society. Therefore, there is less possibility for absconding. Considering the same, and also considering the nature of offences allegedly committed by the petitioner and taking note of the fact that no one has sustained injury and that it is a case and counter 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-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Sivagiri, 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



CRL OP(MD). No.5646 of 2025

satisfaction of the the the learned Judicial Magistrate, Sivagiri.

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(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, Sivagiri 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 weekly once i.e., on every Sunday at 10.00 am 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.

(vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and the witnesses and shall also not tamper with the evidence.

(viii) The petitioner shall furnish his residential address and mobile number to the the learned Judicial Magistrate, Sivagiri.

(ix) On breach of any of the aforementioned conditions, the learned Judicial



CRL OP(MD). No.5646 of 2025

Magistrate, Sivagiri is entitled to pass appropriate orders against the petitioner in  
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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/-  
26/03/2025

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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 JUDICIAL MAGISTRATE, SIVAGIRI.
  - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.
  - 3 THE INSPECTOR OF POLICE,  
VASUDEVANALLUR POLICE STATION, TENKASI DISTRICT.
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS  
HIGH COURT, MADURAI.
- +1 CC to M/s.K.KARANSINGH, Advocate ( SR-3566[I] dated 27/03/2025 )



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CRL OP(MD). No.5646 of 2025

ORDER

IN

CRL OP(MD) No.5646 of 2025

Date :26/03/2025

NBF/SAR /30.04.2025 6P/6C

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