



CRL.OP(MD). No.5712 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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1.Sridhar
2.Mani @ Abinath
3.Vishwa
4.Latchu @ Lakshmanan

... Petitioners /
Accused Nos.1, 2, 3 & 6

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.105 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioners in Crime No.105 of 2025 on the file of the respondent-police.

For Petitioners : Mr.R.Rajesh,
Advocate

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

For Intervener : Mr.V.Kathirvel,
Senior Advocate
for Mr.K.M.Thirupathy,
Advocate

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 25.03.2025



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under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
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to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS, 2023, in Crime No.105 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant, a resident of Ariyalur District, is working as a labourer in Kulamangalam Village, Madurai District. On 15.03.2025, the Pavithran Memorial Committee organized a Jallikattu event at Kallakkudi Village, Trichy District. During the event, the defacto complainant attempted to tame the accused persons' bull, at which point the accused persons warned him where enmity began between the accused persons and the defacto complainant. Due to this incident, on 23.03.2025, during another Jallikattu event held at the Madurai Keelakkarai Jallikattu Ground, the accused persons 1 and 3 attacked and stabbed the defacto complainant with a knife, assaulted him, and verbally abused him with threats of dire consequences. As a result, the defacto complainant sustained injuries to his head and little finger. Hence, the case.

4. Mr.R.Rajesh, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioners. He



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further submits that the petitioners will not commit a similar offence in the future. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi the learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the petitioners have been arrayed as A1, A2, A3 and A6. He further submits that the the accused persons 1 and 3 stabbed the defacto complainant with a knife, assaulted him, and verbally abused him with threats of dire consequences. He further contends that if the petitioners are released on pre-arrest bail, they will again cause threat to the defacto complainant and will commit similar type of offence in future. He therefore prays to dismiss this Criminal Original Petition.

6. Mr.V.Kathirvel, the learned Senior Advocate appearing for Mr.K.M.Thirupathy, the learned counsel for the defacto complainant submits that on 23.03.2025 at 10:15 a.m., while the defacto complainant was participating in the Jallikattu festival at Keelakari, Alanganallur, Madurai District, and waiting at the Collection Point in the Jallikattu Ground, accused persons 1 to 6 arrived and surrounded him. They abused him using filthy language and threatened him. Accused No.1 and No.3, Sridhar and Vishwa, attacked him with a knife. When he



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attempted to defend himself, they inflicted a cut injury on his right-hand little finger and caused a bleeding injury on his head. Due to the sudden attack, he fell on the ground. Subsequently, accused persons 2 and 4 to 6 jointly assaulted him with wooden logs on his left shoulder, leg, and back, resulting in bruise injuries. Upon hearing his cries for help, nearby people gathered at the scene, at which point all the accused persons fled. With the assistance of bystanders, he was taken in a 108 ambulance and admitted as an in-patient at Government Rajaji Hospital, Madurai, for treatment. He further contends that if the petitioners are released on pre-arrest bail, they will again cause threat to the defacto complainant. He therefore prays to dismiss this Criminal Original Petition.

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

8. Considering the fact that the petitioners have no bad antecedents and have permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the nature of the offence alleged against the petitioners and taking note the fact that there is no material to suggest that accused is a habitual offender (or) poses a continuing threat to society. Hence, this Court is inclined to grant 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 Judicial Magistrate, Vadipatti,



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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.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Vadipatti.

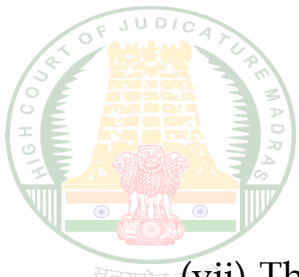
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m. and 05.00 p.m. 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, his or her family members and witnesses and shall not tamper the evidence.



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(vii) The petitioners shall not enter into the defacto complainant's house or his working place.

(viii) The petitioners shall also not try to contact the defacto complainant and his family members either directly or through any electronic mode.

(ix) The petitioners shall not leave India without the previous permission of the Court.

(x) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

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

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

sd/-
27/03/2025

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/04/2025

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



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TO
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- 1 THE JUDICIAL MAGISTRATE, VADIPATTI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.RAJESH, Advocate (SR-3640[I] dated 28/03/2025)

ORDER
IN
CRL OP(MD) No.5712 of 2025
Date :27/03/2025

NBF/SAR/ (16/04/2025) 7P/6C

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