



CRL OP(MD). No.5728 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 22.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5728 of 2025

Rohith

... Petitioner/ Accused No.7

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District.

Crime No.197 of 2025

... Respondent/ Complainant

For Petitioner : Mr.G.Karuppasamypandian

For Respondent : Mr.R.Meenakshi Sundaram,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.197 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 25.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 318(4) of Bharatiya Nyaya Sanhita (BNS),



CRL OP(MD). No.5728 of 2025

2023, in Crime No.197 of 2025 on the file of the respondent-police.

WEB COPY

3. The case of the prosecution is that the accused persons have illegally counterfeited the defacto complainant's company's brand and trademark 'REDPORT' and manufactured crackers.

4. Mr.G.Karuppasamypandiyan, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. However, to show his bonafide, the petitioner has filed an undertaking affidavit before this Court that he will not commit any act against the law. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, on instructions, submits that investigation in this case is yet to be completed Therefore, he prays to dismiss this Criminal Original Petition.

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

7. Considering the facts and circumstances of the case and in view of the undertaking affidavit filed by the petitioner and taking note of the fact that petitioner has permanent residence and deep roots in the Society and therefore,



CRL OP(MD). No.5728 of 2025

WEB COPY

there is less possibility of absconding and 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:

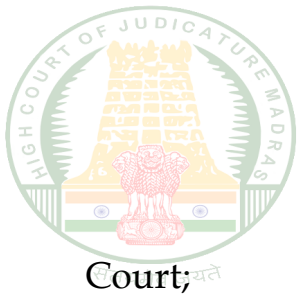
(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Sivakasi, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 No.II, Sivakasi;

(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 petitioner shall make himself available for interrogation by police as and when required;

(iv) 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 them from disclosing such facts to the Court or to any police officer;

(v) The petitioner shall not leave India without the prior permission of the



CRL OP(MD). No.5728 of 2025

WEB COPY

(vi) The petitioner shall appear and sign before the respondent-Police weekly twice i.e., on every Sunday and Monday at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Sivakasi;

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

(ix) On breach of any of the aforementioned conditions, concerned Magistrate, 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 them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

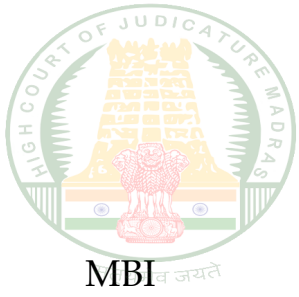
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-  
22/04/2025

/ TRUE COPY /

/05/2025

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



CRL OP(MD). No.5728 of 2025

WEB COPY  
TO

- 1.THE JUDICIAL MAGISTRATE NO.II, SIVAKASI.
- 2.THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR.
- 3.THE INSPECTOR OF POLICE,  
SIVAKASI EAST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.G.KARUPPASAMY PANDIAN, Advocate ( SR-4621[I] dated  
23/04/2025 )

ORDER  
IN  
CRL OP(MD) No.5728 of 2025  
Date :22/04/2025

PR/26.05 .2025 5P/6C

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