



CRL OP(MD). No.5819 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Duraisamy

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
In Cr. No. 526 of 2024

... Respondent/Complainant

For Petitioner : Mr. P.Praveenkumar
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. 526 of 2024 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 26.03.2025



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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 petitioner / sole accused apprehends arrest at the hands of the respondent-police initially the case was registered for the offences under Section 194 of Bhartiya Nagarik Suraksha Sanita, 2023 later it was altered into the offences punishable under Section 105 of Bharatiya Nyaya Sanhita, 2023 in Crime No.526 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 25.12.2024, at about 9.00 am, the petitioner came to the defacto complainant's house and took her husband, who worked as a Contract Labour in Tamil Nadu Electricity Board, to change the power supply to one Senthil Kumar's house. At that time, the petitioner informed that he switched off the power supply in the main transformer and directed her husband to do work, when her husband touched the wire, he was died due to shock. Hence, the defacto complainant lodged a complaint as against the petitioner.

4. Mr.P.Praveen kumar, 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



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petitioner.

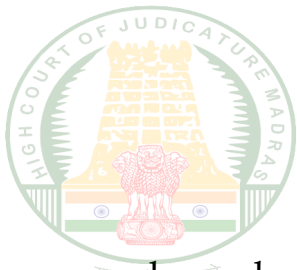
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5. Per contra, M.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that due to avoid some inadequate circumstances, the petitioner has been transferred to Gunda Sub Station, Ooty. He further submits that 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. In view of the facts and circumstances, this Court is of the view that the custodial interrogation of the petitioner is not necessary. The petitioner 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 with a view to 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 pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Usilampatti, within a period of 15 days from the date on which the order copy is



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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 No.I, Usilampatti.

(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 No.I, Usilampatti shall obtain a copy of any one of identity proofs to ensure their identity.

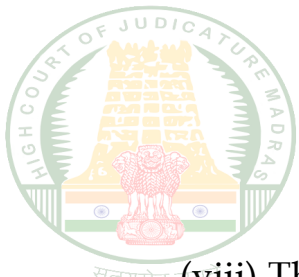
(iii) The petitioner shall appear and sign before the respondent – Police, weekly once ie., on every Monday at 10.30 am until further orders.

(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.



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(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Usilampatti.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Usilampatti 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].

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

sd/-
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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

- 1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.



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+1 CC to M/s.P.PRAVEEN KUMAR, Advocate (SR-3837[I] dated 03/04/2025)

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ORDER

IN

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Date :03/04/2025

NBF/SAR /30.04.2025 6P/6C

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