



CRL.OP(MD). No.5948 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

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Aravindh

... Petitioner / Accused
Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Keelavalavu Taluk Police Station,
Madurai District.
(Crime No.92 of 2024)

... 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 petitioner in Crime No.92 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.Balamuruganantham,
Advocate
For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.03.2025

<https://www.hmc.tn.gov.in/judis> under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 147, 148, 294(b), 326, 307 of IPC and Section 3 of the Explosive Substance Act, 1908 and Section 3(1) of the Prevention of Damage to Public Property Act, 1984, in Crime No.92 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that, on 21.04.2024, due to prior enmity with the defacto complainant in connection with a temple festival in their locality, A1, along with the other accused persons, attacked the defacto complainant by throwing a country-made bomb. Based on the said incident, the present FIR has been registered.

4. Mr.R.Balamuruganantham, 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. He further submits that the petitioner 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. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 20 accused



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persons in this case and the petitioner has been arrayed as A12. He further submits that there are no previous case against the petitioner. He further submits that in this case A1 to A5, A7 to A11, A13, A14 and A16 were arrested and released on bail. He further submits that the alleged weapon involved in the crime also seized from A1. He further submits that custodial interrogation of the petitioner is also necessary in this case. He further contends that if the petitioner is released on pre-arrest bail, he may abscond and will tamper with the evidence. He therefore 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 also considering the nature of the offence allegedly committed by the petitioner and taking note of the fact that there are no previous cases against the petitioner and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted 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, Melur, Madurai District, 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



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Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees
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Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate,
Melur, Madurai 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 Judicial Magistrate 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 daily at 10.00 a.m. 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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish his residential address and mobile number



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to the concerned Magistrate.

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(ix) 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 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/-

01/04/2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai.

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To

1.The Judicial Magistrate,
Melur,
Madurai District.

2. Do Through The Chief Judicial Magistrate,
Madurai.



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3.The Inspector of Police,
Keelavalavu Taluk Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-3848[I] dated
03/04/2025)

Order made in
CRL.OP(MD). No.5948 of 2025
01.04.2025

BV (05/05/2025) 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.