



CRL OP(MD). No.5964 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5964 of 2025

Aahkash

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Palanichettipatti Police Station,
Theni District.
Crime No.433 of 2024

... Respondent/ Complainant

For Petitioner : Mr.R.Manoj Kumar

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

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

PRAYER :-

For Anticipatory Bail in Crime No.433 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 27.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



CRL OP(MD). No.5964 of 2025

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 296(b), 118(2) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.433 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 22.10.2024, when the defacto complainant and his wife were standing in front of their house, the accused persons arrived there and inquired about one Arun, who was a tenant in the defacto complainant's house. Since the defacto complainant and his wife did not provide any information, the accused persons abused them in filthy language, attacked them with sickle, caused grievous injuries to them and threatened them with dire consequences. Hence, the case.

4. Mr.R.Manoj Kumar, 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. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for



CRL OP(MD). No.5964 of 2025

grant of pre-arrest bail to the petitioner.

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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that there are totally two accused in this case and the petitioner is A1 and that co-accused A1 was arrested and still in custody. He further submits that the defacto complainant and his wife were admitted in the hospital on 22.10.2024 and discharged on 25.10.2024. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the First Information Report.

7. In this case, two persons were injured. The petitioner and another accused person unlawfully assembled, entered into the defacto complainant's house and attacked the defacto complainant and his wife with sickle. The defacto complainant and his wife were admitted in hospital on 22.10.2024 and discharged on 25.10.2024. In view of the nature of the injury caused by the petitioner and another accused person to the defacto complainant and his wife, this Court is of the view that if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto



CRL OP(MD). No.5964 of 2025

complainant and his wife. Hence, this Court is not inclined to grant pre-arrest bail
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to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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/05/2025

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

MBI

TO

1.THE INSPECTOR OF POLICE,
PALANICHETTIPATTI POLICE STATION,
THENI DISTRICT

2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.5964 of 2025
Date :01/04/2025

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