



CRL OP(MD). No.6031 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6031 of 2025

Kalaivanan,

... Petitioner/ Accused No.3

Vs

State of Tamil Nadu Rep by
The Inspector of Police,
Gandhi Market Police Station,
Trichy City,
(Crime No. 131 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K Arunraj,
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. 131 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 28.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



CRL OP(MD). No.6031 of 2025

to grant an order of pre-arrest bail.

WEB COPY

2. The petitioner/ A3 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.131 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the defacto complainant are family members and having property dispute between them. On 26.02.2025, at about 01.00 p.m., when the defacto complainant and two others entered into the defacto complainant's father's house, the dog belongs to the petitioner was barking and the said dog was tied by one priya, who is the sister's daughter of the defacto complainant. Due to which, there was a wordy quarrel arose between them and the petitioner and other accused namely A2 and A3 said to have abused them in filthy language and also assaulted the defacto complainant with nose spectacles, thereby, causing simple injuries to the defacto complainant and further, they threatened her with dire consequences. Hence, the complaint.

4. Mr.K.Arunraj, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by



CRL OP(MD). No.6031 of 2025

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 further submits that the petitioner and the defacto complainant are family members. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that due to property dispute between the petitioner and the defacto complainant, the petitioner herein attacked the defacto complainant. He further submits that there is no previous case pending against the petitioner. He further submits that the injured was admitted in the hospital on 26.02.2025 and discharged on 29.02.2025. However, he prays to dismiss this Criminal Original Petition.

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

7. It is seen that there was a family dispute between the petitioner and the defacto complainant. It is further seen that the injured has been discharged from the hospital.

8. Considering the facts and circumstances of the case, and considering the nature of the offence alleged against the petitioner, and also considering the fact that



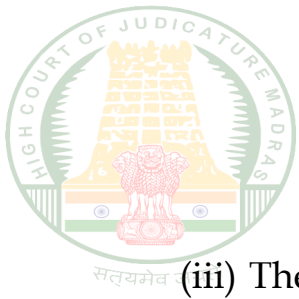
CRL OP(MD). No.6031 of 2025

WEB COPY

the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding, and also considering the fact that the petitioner and the defacto complainant are family members, and taking note of the fact that there are no previous cases against the petitioner and also 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 Additional Mahila Court, Tiruchirappalli, within a period of 15 days from date on which the order copy is 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 Additional Mahila Court, Tiruchirappalli,;

(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 Additional Mahila Court, Tiruchirappalli, shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP(MD). No.6031 of 2025

WEB COPY

(iii) The petitioner shall appear and sign before the respondent-police weekly twice (ie., on Sunday and Monday) at 08.00 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 cause threat to the defacto complainant and the witnesses and shall not tamper the evidence;

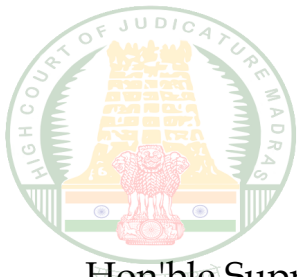
(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(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 to the learned Judicial Magistrate Additional Mahila Court, Tiruchirappalli,;

(ix) The petitioner shall not enter into the defacto complainant's house or workplace; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Additional Mahila Court, Tiruchirappalli, 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



CRL OP(MD). No.6031 of 2025

Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

WEB COPY

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

sd/-
02/04/2025

/ TRUE COPY /

/04/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

TO

1.The Judicial Magistrate Additional Mahila Court,Tiruchirappalli.

2.Do Through The Chief Judicial Magistrate, Tiruchirappalli.

3.The Inspector of Police,
Gandhi Market Police Station, Trichy City.

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-3839[I] dated 03/04/2025)

ORDER

IN

CRL OP(MD) No.6031 of 2025

Date :02/04/2025

NBF/SAR /30.04.2025 6P/6C

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