



CRL OP(MD). No.6039 of 2025

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.6039 of 2025

Sonaimuthu,

... Petitioner/ Accused No.1

Vs

State of Tamil Nadu Rep. by,
The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
Crime No.34 of 2025..

... Respondent/ Complainant

For Petitioner : Mr.Vikram S,
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.34 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.6039 of 2025

ORDER : The Court made the following order :-

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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 to grant an order of pre-arrest bail.

2. The petitioner/ A1 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 118(1), 296(b), 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.34 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the defacto complainant are neighbours and relatives. On the date of occurrence, due to previous enmity, the petitioner have abused the defacto complainant in filthy language and also assaulted her by pelting stones and wooden logs, thereby, causing simple injuries to the defacto complainant and further, he threatened her with dire consequences. Hence, the complaint.

4. Mr.S.Vikram, 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.6039 of 2025

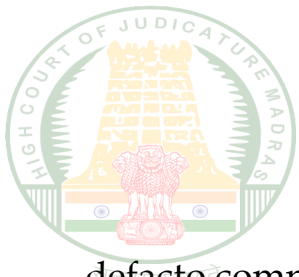
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the prosecution and he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner and the defacto complainant are neighbours and relatives. 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 previous enmity between the petitioner and the defacto complainant, the petitioner herein attacked the defacto complainant by pelting stone and thereby, causing injury to her. He further submits that there is no previous case pending against the petitioner. He further submits that there is a case and counter case pending investigation before the respondent-Police. He further submits that the injured was admitted in the hospital on 23.03.2025 and discharged on 28.03.2025. 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 previous enmity between the petitioner and the

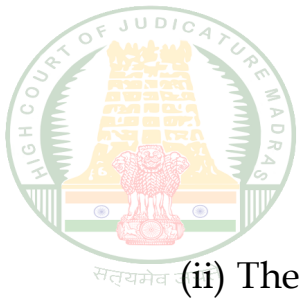


CRL OP(MD). No.6039 of 2025

defacto complainant. It is further seen that the injured has been discharged from the
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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 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 neighbours and relatives, 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 Court, Nilakottai, Dindigul District, 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.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 Court, Nilakottai, Dindigul District,;



CRL OP(MD). No.6039 of 2025

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(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 Court, Nilakottai, Dindigul District, 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 09.00 a.m., until further orders;

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

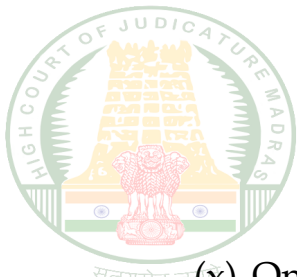
(v) The petitioner shall not, directly or indirectly cause threat to the defacto complainant and the witnesses and shall not tamper the evidence;

(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 Court, Nilakottai, Dindigul District,;

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



CRL OP(MD). No.6039 of 2025

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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court, Nilakottai, Dindigul District, 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].

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

sd/-
02/04/2025

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/04/2025

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

VSG

TO

1.THE LEARNED JUDICIAL MAGISTRATE COURT,
NILAKOTTAI, DINDIGUL DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3.THE INSPECTOR OF POLICE,
VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT.



CRL OP(MD). No.6039 of 2025

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

+1. CC to VIKRAM S Advocate SR.No.3810 DT.03/04/2025

ORDER IN
CRL OP(MD) No.6039 of 2025
Date :02/04/2025

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