



CRL OP(MD). No.6161 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Murugesan,
2. Sakthivel,
3. Palanichamy,
4. Palaniammal,
5. Saranya,
6. Mayil @ Lalitha,

.. Petitioners/ Accused rank not known

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
Cr.No.85 of 2025..

... Respondent/ Complainant



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For Petitioner : M/s.Vilma Remy V,
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 Cr.No.85 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 01.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 191(2), 296(b), 115(2), 118(1) of BNS and Section 4 of TNPHW Act, in Crime No.85 of 2025, on the file of the respondent-police.



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3. The case of the prosecution is that the petitioners and the defacto complainant are neighbours and due to civil dispute pending between the petitioners and the defacto complainant, on the date of occurrence, the petitioners herein entered into quarrel with the defacto complainant and abused him and his family members in filthy language and also assaulted them with sickle and wooden log, due to which, two persons caused grievous injuries. Hence, the complaint.

4. M/S.V.Vilma Remy, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence. He further submits that the respondent-Police has falsely foisted a case against the petitioners. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-Police, submits that due to civil dispute, the occurrence had been taken place. He further submits that two persons caused grievous injuries. He further submits that the injured has been admitted in the hospital on 28.03.2025 and discharged on 31.03.2025. He further submits that there



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is a case and counter case pending investigation in Crime No.86 of 2025 before the
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respondent-Police. He further submits that there is no previous case pending
against the petitioners. He further submits that if pre-arrest bail is granted to the
petitioners, he may cause threat to the defacto complainant and the witnesses.
Hence, he strongly opposes to grant pre-arrest bail to the petitioners.

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

7. The petitioners have permanent residence and deep roots in the society, and
hence, there is less possibility of absconding. Considering the same, and also
considering the fact that both are neighbours and there is no previous case pending
against them, and also with a view to give one more opportunity to the petitioners
to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners,
however, subject to certain conditions. Accordingly, pre-arrest bail is granted to the
petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest
or in the event of their surrender before the learned District Munsif Cum Judicial
Magistrate, Vendasandur, 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.10,000/- (Rupees Ten



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Thousand only) each along with two sureties each for a like sum of Rs.10,000/-
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(Rupees Ten Thousand only) to the satisfaction of the learned District Munsif Cum
Judicial Magistrate, Vendasandur,;

(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 District Munsif Cum Judicial Magistrate, Vendasandur, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners 1 to 3 shall appear and sign before the respondent-police daily at 09.00 a.m and 05.00 p.m, until further orders and the petitioners 4 to 6 shall appear and sign before the respondent-Police daily at 09.00 a.m., until further orders;

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

(v) The petitioners 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 them from disclosing such facts to the Court or to any police officer;



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(vi) The petitioners shall not leave India without the previous permission of the Court;

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

(viii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif Cum Judicial Magistrate, Vendasandur,, and

(ix) On breach of any of the aforementioned conditions, the learned District Munsif Cum Judicial Magistrate, Vendasandur, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners 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].



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

sd/-
17/04/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG
TO

1.LEARNED DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

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

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

+1 CC to M/s.V.VILMA REXY, Advocate (SR-4545[I] dated 22/04/2025)



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ORDER

IN

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Date :17/04/2025

VN/27.05.2025 /8P/6C

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