



CRL OP(MD). No.6216 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6216 of 2025

1. Nalluchamy
2. Perumal,

... Petitioners/ Accused No.1 & 2

Vs

State of Tamil Nadu
rep by, The Inspector of Police,
Melavalavu Police Station,
Madurai District.
Crime No. 49 of 2025..

... Respondent/Complainant

For Petitioner : Mr.S Ayyanar Prem Kumar,
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. 49 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioners on 02.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioners / Accused Nos.1 and 2 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2) and 351 (2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.49 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 17.03.2025, due to previous enmity between the petitioners and the defacto complainant, the petitioners herein trespassed into the defacto complainant's house and attacked him with hands, and also abused him in scandalous and filthy language and caused injury to him, and threatened him with dire consequences. Hence the case.

4. Mr.S.Ayyanar Prem Kumar, learned counsel appearing for the petitioners, submits that the petitioners have nothing to do with the alleged offence, and a false case has been foisted against the petitioners. He however submits that the



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petitioners are ready to abide by any conditions to be imposed by this Court, and co-
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operate with the investigation. Therefore, he prays for granting pre-arrest bail to the
petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal side) appearing for the respondent-Police, submits that the first petitioner has no previous case and the second petitioner has one previous case, which is similar in nature. He further submits that the injured has been treated as an out-patient. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners have permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the fact the injured has been treated as an out-patient and taking note of the fact that the first petitioner has no previous case and the second petitioner has only one previous case of similar in nature. Hence, with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.



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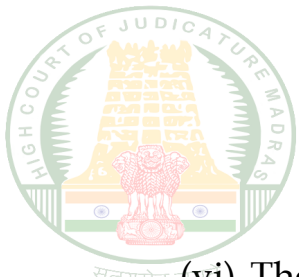
(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Melur, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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, Melur, Madurai,;

(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, Melur, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners 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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the Court;

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

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

(viii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Melur, Madurai,; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Melur, Madurai, 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].

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

sd/-
04/04/2025

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

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TO

- 1.The learned Judicial Magistrate,
Melur, Madurai.
2. The Chief Judicial Magistrate,
Madurai.
- 3.The Inspector of Police,
Melavalavu Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6216 of 2025
Date :04/04/2025

VN/08.05 .2025 6P/5C

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