



CRL OP(MD). No.6203 of 2025

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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.6203 of 2025

Mohamad Aasif Rahman,

... Petitioner/sole Accused

Vs

The State of Tamilnadu,
rep. by, The Inspector of Police,
Tirunelveli Medical College Police Station,
Tirunelveli City.
Crime No.7 of 2025..

... Respondent/Complainant

For Petitioner : Mr.M..Prabu,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No.7 of 2025 on the file of the Respondent-Police.



CRL OP(MD). No.6203 of 2025

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ORDER : The Court made the following order :-

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

2. The petitioner/Sole accused apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 3 of TN Medicare Service Persons & Medicare Service Institutions (Prevention of Violence & Damage or Loss to the Property) Act, 2008 and Section 132 of BNS Act, in Crime No.7 of 2025 on the file of the first respondent.

3. The case of the prosecution is that on 15.01.2025, at about 03.30 a.m., when the defacto complainant namely, Steffie working as Medical Officer, Government Hospital, Tirunelveli, was on duty, at that time, the petitioner came for treatment and made a quarrel with nurses namely, Ayisha and Meena. Further, the petitioner broke the Glass set in front of the TAEI Ward Red Zone and also quarrelled with the security personnel and also prevented the defacto complainant to discharge her duty



CRL OP(MD). No.6203 of 2025

of giving treatment to the other patients. Hence, the case was registered.

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4. Mr.M.Prabu, learned counsel for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that the petitioner is ready to abide by any condition to be imposed by this Court. Hence, he prays to grant 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 the petitioner herein prevented the Government doctor to discharge her duty. He further submits that if pre-arrest bail is granted to the petitioner, he may cause threat to the defacto complainant and witnesses. However, he prays to dismiss this Criminal Original Petition.

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

7. 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,



CRL OP(MD). No.6203 of 2025

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there is less possibility of absconding, and also considering the fact that the petitioner has not previous case, and taking note of the fact of the case, this Court is of the view that the custodial interrogation of the petitioner may not be necessary for the investigating agency. Further, with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of 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 I, Tirunelveli, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs10,000/- (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 I, Tirunelveli,;

(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 I, Tirunelveli, shall obtain a copy of any one of identity proofs to ensure their identity;



CRL OP(MD). No.6203 of 2025

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(iii) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

(iv) The petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.7 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate I, Tirunelveli,;

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

(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 I, Tirunelveli,;

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

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate I, Tirunelveli, or Trial Court, as the case may be, is entitled to pass



CRL OP(MD). No.6203 of 2025

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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].

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

sd/-
04/04/2025

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/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 NO.I
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI.

3 THE INSPECTOR OF POLICE,
TIRUNELVELI
MEDICAL COLLEGE POLICE STATION,
TIRUNELVELI CITY.

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

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CRL OP(MD). No.6203 of 2025

ORDER
IN
CRL OP(MD) No.6203 of 2025
Date :04/04/2025

SS/SAR- /30/04/2025/ 7P/5C

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