



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). Nos.6422 & 6667 of 2025

Selvakumar

...Petitioner in Crl.O.P.(MD).No.6422 of 2025 /
Accused Rank Not Known

1.Rajesh @ Rajesh Kumar

2.Ajith Kumar

... Petitioners in Crl.O.P.(MD).No.6667 of 2025 /
Accused Nos.2 & 3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
M.Kallupatti Police Station,
Madurai District.
Crime No.22 of 2025

... Respondent/Complainant in both petitions

For Petitioner : Mr.P.Suresh,
Advocate In Crl.O.P.(MD).No.6422 of 2025

For Petitioners: Mr.T.Palanisamy
Advocate In Crl.O.P.(MD).No.6667 of 2025



WEB COPY

For Respondent

: Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

COMMON PRAYER :-

For Anticipatory Bail in Crime No.22 of 2025 on the file of the respondent-Police.

COMMON ORDER : The Court made the following common order :-

These Criminal Original Petitions have been filed by the petitioners on 03.04.2025 and 07.04.2025 respectively under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioners / Accused apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 191(2) 191(3), 126(1), 296(b), 324(4), 115(2), 118(1), 140, 132, and 351(3) of BNS, 2023 in Crime No.22 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as the Panchayat Secretary in the Mallapuram Panchayat. Due to previous enmity, on 13.03.2025, at about 02.00 p.m., while the defacto complainant went to Sedapatti Panchayat in his two-wheeler for attending his official duty, at that time, the accused persons restrained him and abused him in filthy language. At that time, A1 assaulted the defacto complainant with hands. Thereafter, the accused persons



WEB COPY

kidnapped the defacto complainant in their two-wheeler and assaulted him by using sickle and wooden logs. On the instigation of A5, the other accused persons assaulted the defacto complainant. Further, A5 threatened the defacto complainant over phone to resign his job. Hence, the complaint.

4. Mr.P.Suresh and Mr.T.Palanisamy, learned counsel appearing for the petitioners, submit that the petitioners have not committed any offence as alleged by the prosecution. He further submits that a false case has been foisted against the petitioners. He further submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Therefore, they pray for granting pre-arrest bail to the petitioners.

5. *Per contra*, Mr.S.S.Manoj, learned Government Advocate (Criminal Side) appearing for the respondent-Police submits that due to previous dispute between the petitioners and the defacto complainant, the petitioners herein abused the defacto complainant and assaulted him by using hands, wooden logs and sickle. He further submits that the defacto complainant has been admitted in the hospital on 13.03.2025 and discharged on 27.03.2025. He further submits that the custodial interrogation of the petitioners are necessary for the investigating agency. Hence, he strongly opposes to grant pre-arrest bail to the petitioners.



WEB COPY

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

7. Taking note of the nature of the offence allegedly committed by the petitioners, considering the gravity of offence and grievous injury suffered by the defacto-complainant, this Court is of the view that the custodial interrogation of the petitioners is absolutely necessary for the investigating agency to unearth the truth. Further, if an order of pre-arrest bail is granted to the petitioners, they will cause threat to the de-facto complainant and the witnesses. Hence, this court is not inclined to grant an order of pre-arrest bail to the petitioners.

8. Accordingly, these Criminal Original Petitions are dismissed.

Sd/-

23/04/2025

// True Copy //

/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)

Madurai Bench of Madras High Court,
Madurai.

TSG

TO

1.The Inspector of Police,
M.Kallupatti Police station,
Madurai District.

<https://www.mhc.tn.gov.in/judis>



WEB COPY

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

CRL OP(MD) Nos.6422 & 6667 of 2025
Date : 23/04/2025

KVL/26.05.2025 5P/3C

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