



CRL OP(MD). No.6787 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6787 of 2025

Vishwa,

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.
(In Crime No.414 of 2024).

... 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.414 of 2024 on the file of the respondent-Police.



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WEB COPY ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 08.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused No.4 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 7(1)(a) of Criminal Law Amendment Act, 2005 and Section 25(1)(a) of Arms Act, 1959, in Crime No.414 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that on 25.12.2024, at about 07.00 p.m, the accused persons were planning to murder their rival that night by using weapons. On seeing Police, A3 and A4 fled away from scene. However, A1 and A2 were arrested. Subsequently, A3 and A4 also arrested. There are totally four accused persons in this case and the petitioner has been arrayed as A4. Hence, the complaint.

4. Mr.S.Vikram, learned counsel appearing for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and that a



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false case has been foisted against the petitioner. He further submits that the respondent-police, without conducting proper enquiry, falsely registered a case against the petitioner. He further submits that A1 and A2 were arrested and released on bail before the Trial Court. A3 were arrested and released on bail by this Court in Crl.O.P.(MD).No.278 of 2025, dated 08.01.2025. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. In response to the above said submission, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that when the petitioner and other accused persons were trying to commit offence, the respondent-police arrested A1 and A2. He further submits that the petitioner has four previous cases and he is a history sheeter. if bail is granted to the petitioner, he will abscond, cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the case file.

7. The petitioner has permanent residence and deep roots in the society and



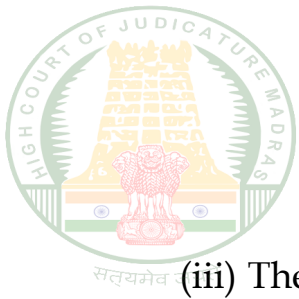
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therefore, there is less possibility for absconding. Considering the same, and also considering the fact that A1 and A2 were arrested and released on bail by the trial Court and A3 was arrested and released on bail by this Court in CrI.O.P.(MD). No.278 of 2025, dated 08.01.2025 and 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 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 No.III, Dindigul, Dindigul District, 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 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 Court No.III, Dindigul, Dindigul District,;

(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 No.III, Dindigul, Dindigul District, shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall appear and sign before the respondent Police daily at 10.30 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, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

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

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

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.III, Dindigul, Dindigul District,; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court No.III, Dindigul, 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].



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

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sd/-
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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.THE LEARNED JUDICIAL MAGISTRATE COURT NO.III,
DINDIGUL, DINDIGUL DISTRICT.

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

3.THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.S.VIKRAM, Advocate (SR-4254[I] dated 16/04/2025)



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ORDER
IN
CRL OP(MD) No.6787 of 2025
Date :15/04/2025

VN/29.05.2025 7P/6C

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