



CRL.OP(MD). No.6441 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6441 of 2025

C.Raja

... Petitioner / Accused  
Rank Not Known

Vs.

The State of Tamil Nadu rep by  
The Inspector of Police,  
Vembakottai Police Station,  
Virudhunagar District.  
(Crime No.96 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya  
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the  
petitioner in Crime No.96 of 2025 on the file of the respondent police.

For Petitioner : M/s.Meena,  
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 04.04.2025



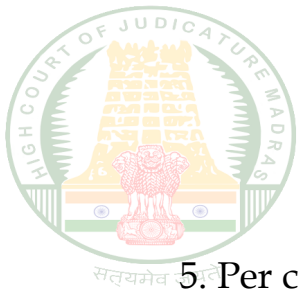
CRL.OP(MD). No.6441 of 2025

under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying  
**WEB COPY**  
to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 118(1) and 351(2) of BNS, 2023, in Crime No.96 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant, in his complaint, alleged that he is residing in the said locality along with his family members and is engaged in daily wage work in the same locality under one Tamilarasan. Further, on 30.03.2025, since it was a holiday, the defacto complainant went to meet his friend at the Anna Colony Community Hall around 5:30 p.m. At that time, the petitioner arrived at the venue in a drunken state, used filthy language to threaten the defacto complainant, which led to a quarrel, and subsequently attacked him. Upon the arrival of the public, the petitioner left the place. Hence, the case.

4. M/s.Meena, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. She further submits that a false case has been foisted against the petitioner. She however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, she prays to grant an order of pre-arrest bail to the petitioner.



CRL.OP(MD). No.6441 of 2025

WEB COPY

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused person assaulted the defacto complainant and threatened with dire consequences. He further submits that due to injury, the injured was admitted in the hospital on 30.03.2025 and discharged on 02.04.2025. He further submits that there are no previous cases against the petitioner. However, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and also considering the fact that the injured was discharged on 02.04.2025 and the nature of the offence allegedly committed by the petitioner, and taking note of the fact that there are no previous cases against the petitioner, 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 No.II, Sattur, 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



CRL.OP(MD). No.6441 of 2025

satisfaction of the learned Judicial Magistrate No.II, Sattur.

WEB COPY

(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 shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 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 him from disclosing such facts to the Court or to any police officer.

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

(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 concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial



CRL.OP(MD). No.6441 of 2025

Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders  
WEB COPY  
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/-  
08/04/2025

/ TRUE COPY /

/04/2025  
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pal  
TO

1 THE JUDICIAL MAGISTRATE NO. II, SATTUR.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,  
VEMBAKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.JANANI PRIYA, Advocate ( SR-4154[I] dated 09/04/2025 )



WEB COPY



CRL.OP(MD). No.6441 of 2025

ORDER

IN

CRL OP(MD) No.6441 of 2025

Date :08/04/2025

NBF/SAR /30.04.2025 6P/6C

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