



CRL.OP(MD). No.6538 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6538 of 2025

1.Koli Selvam @ Selvakumar

2.Seena Murugan @ Murugan

3.Kuthalai @ Arumugam

... Petitioners / Accused Nos.1 to 3

Vs.

The State of Tamil Nadu rep by  
The Inspector of Police,  
Murappanadu Police Station,  
Thoothukudi.  
(Crime No.137 of 2025)

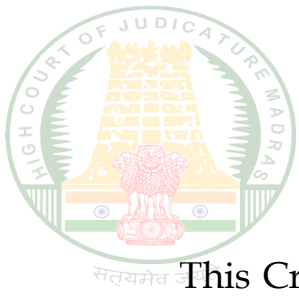
... Respondent / Complainant

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  
petitioners in Crime No.137 of 2025 on the file of the respondent-police.

For Petitioners : Mr.S.Jai Surya Prakash,  
Advocate

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

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioners on 04.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023, in Crime No.137 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is employed as a Grade-I Police Constable at Srivaikundam Police Station. On 30.03.2025, acting on instructions from his father-in-law, the defacto complainant, along with his son-in-law, went to the house of A2 to collect a sum of Rs. 2,80,000/-. When the defacto complainant demanded the said amount from A2, the latter replied that it was a Sunday, and he could not withdraw the amount from the bank. He further stated that he would arrange the money from his relative and proceeded to make a call to A1. Subsequently, they all went to A1's farm, where they met A3, and they stayed there to discuss the repayment of the aforementioned amount. While matters were being discussed, A1 and A3 questioned the defacto complainant regarding his right to demand the said amount. They abused him in filthy language and assaulted him



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using an iron rod and a plastic pipe. Hence, the case.

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4. Mr.S.Jai Surya Prakash, the learned counsel for the petitioners, submits that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioners. He however submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally three accused persons in this case and the petitioners have been arrayed as A1 to A3. He further submits that A1 has three previous cases, A2 has four previous cases and A3 has no previous case. He further submits that the defacto complainant was admitted in the hospital on 30.03.2025 and discharged on 05.04.2025. He further submits that the petitioners started wordy quarrel with the defacto complainant and assaulted him and threatened with dire consequences. Therefore, if the petitioners are released on pre-arrest bail, they will again cause threat to the defacto complainant. Accordingly, he prays to dismiss this Criminal Original Petition.



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

7. The petitioners have permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the nature of the offence alleged against the petitioners and taking note of the fact that the injured was discharged from hospital and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(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 No.I, Srivaikundam, Thoothukudi, 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 No.I, Srivaikundam, Thoothukudi.

(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



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Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of  
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identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

(v) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(vi) 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 him from disclosing such facts to the Court or to any police officer.

(vii) The petitioners shall also not, directly or indirectly, cause any threat to the defacto complainant, his family members and witnesses and shall not tamper the evidence.

(viii) The petitioners shall not enter into the defacto complainant's house or his work place .

(ix) The petitioners shall not leave India without the previous permission of the Court.

(x) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

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



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

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/05/2025

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

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To

1.THE JUDICIAL MAGISTRATE NO.I,  
SRIVAIKUNDAM,  
THOOTHUKUDI.

2. THE CHIEF JUDICIAL MAGISTRATE,  
SRIVAIKUNDAM,  
THOOTHUKUDI.



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3.THE INSPECTOR OF POLICE,  
MURAPPANADU POLICE STATION,  
THOOTHUKUDI.

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

+1 CC to M/s.S.JAI SURYA PRAKASH, Advocate ( SR-4144[I] dated 09/04/2025 )

ORDER  
IN  
CRL OP(MD) No.6538 of 2025  
Date :08/04/2025

VN/08.05 .2025 7P/6C

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