



CRL OP(MD). No.6561 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6561 of 2025

Thanushkodi

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sholavandan Police Station,
Madurai District.
Crime No. 77 of 2025.

... Respondent/Complainant

For Petitioner : Mr.M.Vivek Kumar,
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No. 77 of 2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.



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2. The petitioner /Accused No.1, apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 126(2), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.77 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 27.03.2025, at about 08.00 p.m., due to the previous motive, the petitioner and other accused conspired together and abused the defacto complainant in filthy language and also attacked him with wooden log thereby caused injury. Hence, the complaint.

4. Mr.M.Vivek Kumar, learned counsel appearing for the petitioner submits that in order to wreck vengeance on the petitioner, the defacto complainant lodged a false complaint against the petitioner. He further submits the petitioner has nothing to do with the alleged offence. He further submits that he is ready to abide by any stringent conditions that may be imposed by this Court.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (crl. Side) appearing for the respondent Police submits that there are nineteen previous cases pending against



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the petitioner and he is a history sheeter. He further submits that if pre-arrest bail is granted to the petitioner, he will threaten the defacto complainant and witnesses. He further submits that the defacto complainant was admitted in the hospital on 27.03.2025 and discharged on 30.03.2025. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the bad antecedents of the petitioner and considering the fact that petitioner is a habitual offender, this Court is of the opinion that, if pre-arrest bail is granted to the petitioner, he may cause a threat to the defacto complainant and commit the similar offences. Furthermore, considering the nature of the offence and considering the facts of this case, this Court is of the view that custodial interrogation of the petitioner is necessary. Hence, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
25/04/2025

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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

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1 THE INSPECTOR OF POLICE,
SHOLAVANDAN POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M.VIVEK KUMAR Advocate SR.No.27796(F) DATED 28/04/2025

ORDER
IN

CRL OP(MD) No.6561 of 2025

Date :25/04/2025

SS/SAR- /26/05/2025/ 4P/4C

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