



CRL OP(MD). No.6663 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.Pandidurai
2.Govindaraju

... Petitioners/ Accused Nos.
1 and 2

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Vadakadu Police Station,
Pudukottai District.
Crime No. 38 of 2025.

... Respondent/ Complainant

For Petitioners : Mr.D. Rameshkumar
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 38 of 2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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

2. The petitioners / Accused Nos.1 and 2 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2), 303(2) of BNS, 2023 (*)**Section 4 of Tamil Nadu Prohibition of Women Harassment Act**, in Crime No.38 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that due to previous enmity, the petitioners herein have abused the defacto complainant in filthy language and also assaulted her and thereby, caused injuries. Hence, the complaint.

4. Mr.D.Rameshkumar, learned counsel appearing for the petitioners, submits 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, he prays 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 business rivalry between



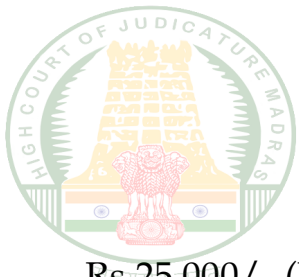
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the parties, the petitioners herein attacked the defacto complainant and caused injuries. He further submits that it is a case in counter and the counter case has been registered in Crime No.37 of 2025 on the file of the respondent – Police. He further submits that there is no previous case pending against petitioners. He further submits that if pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant and the witnesses. Hence, he strongly opposes to grant pre-arrest bail to the petitioners.

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

7. The petitioners have permanent residence and deep roots in the society, and hence, there is less possibility of absconding. Considering the same, and also considering the dispute between the petitioners and the defacto complainant 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, however, subject to certain conditions. 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 District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai 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



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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 District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai 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 District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai District shall obtain a copy of any one of identity proofs to ensure their identity;

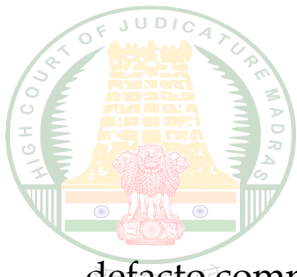
(iii) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

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

(v) 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 them from disclosing such facts to the Court or to any police officer;

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

(vii) The petitioners shall not, directly or indirectly, cause any threat to the



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defacto complainant and the witnesses and shall not tamper the evidence;

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(viii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai District; and

(ix) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Alangudi, or Trial Court, as the case may be, is entitled to pass appropriate orders 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/-
17/04/2025

(*)Corrected as per the order of Hon'ble Court in CRL OP(MD)No.6663 of 2025 dated 22/05/2025 by PVMJ.

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 17/04/2025 ALREADY DESPATCHED

1. The District Munsif cum Judicial Magistrate, Alangudi, Pudukkottai District



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2. Do-Through The Chief Judicial Magistrate, Pudukottai District.

3. The Inspector of Police, Vadakadu Police Station, Pudukottai District.

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

+1 CC to M/s.D.RAMESHKUMAR, Advocate (SR-30992[F] dated 22/05/2025)

ORDER

IN

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Date :17/04/2025

PP/20.05.2025 6P/6C

LS/CP

SS/SAR- /29/05/2025/ 6P/ 6C

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