



CRL OP(MD). No.6661 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

CRL OP(MD). No.6661 of 2025

1. Saravanan @ Saravana Kumar

2. Ganesan

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep By,
The Inspector of Police,
Thiruppachetti Police Station,
Sivagangai District.
Cr.No.73 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.A.Ajith Prakash,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-



CRL OP(MD). No.6661 of 2025

For Anticipatory Bail in Cr.No.73 of 2025 on the file of the respondent police.

WEB COPY

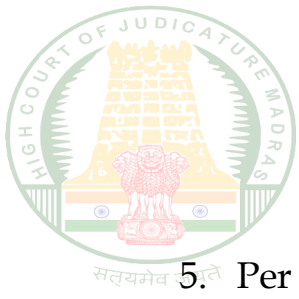
ORDER : The Court made the following order :-

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 an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 109(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.73 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to civil dispute, on 02.04.2025 at 04.30 p.m, the petitioners and other accused persons attacked the defacto complainant with stone and stick and caused severe injuries and also threatened him with dire consequences. Hence, the case.

4. Mr.A.Ajith Prakash, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and a false case has been foisted against them. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He further submits that A1 and A9 was already released on bail by the concerned Principal District Judge, Hence, he prays for grant of pre-arrest bail to the petitioners.



CRL OP(MD). No.6661 of 2025

WEB COPY

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that in this occurrence, two persons got injured and one of the victims was treated as out patient and the other victim was admitted in the hospital on 03.04.2025 and discharged on 09.04.2025. He however submits that if pre-arrest bail is granted to the petitioners, they will cause threat to the defacto complainant and witnesses. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of the offences alleged against the petitioners and also considering the fact that the injured has been discharged from the hospital and also taking note of the fact that A1 and A9 was already released on bail, this Court is of the view that in this case, custodial interrogation may not require. Therefore, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned District Munsif cum Judicial Magistrate, Thiruppuvanam, Sivagangai 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.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like



CRL OP(MD). No.6661 of 2025

sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the
WEB COPY
learned District Munsif cum Judicial Magistrate, Thiruppuvanam, Sivagangai
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 shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) 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;

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

(vi) Thereafter, the petitioners shall stay at Pudukottai and sign before the Thirumaiyam Police Station, Pudukottai daily at 10.00 a.m. and 05.00 p.m until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Thiruppuvanam,



CRL OP(MD). No.6661 of 2025

Sivagangai District;

WEB COPY

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

(x) On breach of any of the aforementioned conditions, concerned Magistrate, 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 them 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

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUPPUVANAM, SIVAGANGAI DISTRICT.

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



CRL OP(MD). No.6661 of 2025

WEB COPY

3. THE INSPECTOR OF POLICE,
THIRUPPACHETTI POLICE STATION,
SIVAGANGAI DISTRICT.

4. THE INSPECTOR OF POLICE,
THIRUMAIYAM POLICE STATION,
PUDUKOTTAI.

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

+2 CC to M/s.S.MOHAMED HALITH, Advocate (SR-4437[I] dated 21/04/2025)

ORDER
IN

CRL OP(MD) No.6661 of 2025

Date :17/04/2025

HPS/03.06.2025 /6P/8C

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