



CRL OP(MD). No.7654 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

CORAM

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7654 of 2025

Karthick

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
(Crime No.17 of 2025).

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan,
Advocate

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

For intervenor : Mr. K.Vasanthakumar

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 23.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail.

2. The petitioner / accused No.4 apprehends arrest at the hands of the respondent-Police initially for the offences punishable under Sections 49, 126(2), 137 (2), 296(b), 115(2), 351(3) of BNS, 2023 and thereafter, altered into 49, 137(2), 296(b), 115(2), 351(3), 109(1) of BNS,, 2023 in Crime No.17 of 2025, on the file of the respondent - police.

3. The case of the prosecution is that certain individuals in the locality were engaged in illegal sand mining. The defacto complainant has lodged a complaint against the petitioner and other accused regarding these illegal activities committing by them to the respondent - Police and the revenue authorities. Due to the vengeance, on 20.02.2025 at about 10.30 am the petitioners and other accused persons were abducted the defacto complainant in a car bearing Regn.No.TN 63 BU



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0709, assaulted him, attempted to commit murder, and threatened with dire
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consequences. Hence, the case.

4. Mr.C.Senthilmurugan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the petitioner's daughter attained the age of puberty and a function is necessarily to be arranged for her and therefore, without going into the merits of the case, he seeks to grant an order of interim pre-arrest bail to the petitioner for a period of one week.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that it is a second pre-arrest bail petition and the earlier petition filed by the petitioner was dismissed by this Court vide order, dated 03.03.2025 in Crl.O.P(MD).No.3674 of 2025 and there is no change of circumstances. He further submits that there are four previous cases pending against the petitioner. He further submits that investigation is not yet completed. In the circumstances, custodial interrogation of the petitioner is necessary for the investigating agency. He further submits that if pre-arrest bail is granted to the



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petitioner, he will commit similar type of offence and may cause threat to the defacto complainant and tamper with the evidence. Hence, he strongly opposes to grant pre-arrest bail to the petitioner.

6. Heard both sides and perused the records.

7. Earlier the petitioner and other two accused persons moved CrI.O.P(MD). No.3674 of 2025 before this Court and the same was dismissed vide order, dated 03.03.2025 on merits. Aggrieved with the said order, the petitioner moved Special Leave to Appeal (CrI.) No.4437 of 2025 and the same was dismissed as not pressed. This Court has specifically put up the question about the change of circumstances of the case, for which, the learned counsel for the petitioner submits that the prime accused was arrested in this case after dismissal of the earlier petition. This Court is unable to accept the said arguments.

8. Investigation is not yet completed. Further, there is no change of circumstances to entertain this original petition. It is a settled law that without



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change in the circumstances, successive bail / pre-arrest bail application shall not be
entertained. Therefore, this Criminal Original Petition is 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.

TRP

TO

1. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.7654 of 2025
Date :25/04/2025

VN /28.05.2025 5P/3C

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