



CRL.OP(MD). No.6976 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6976 of 2025

Ajithkumar

... Petitioner / Sole Accused

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
(Crime No.32 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
petitioner in Crime No.32 of 2025 on the file of the respondent police.

For Petitioner : Mr.B.Mahendrarajan,
Advocate

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



CRL.OP(MD). No.6976 of 2025

ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 15.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2) of BNS, 2023 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.32 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant's daughter and the petitioner were in a love affair. Due to this, the defacto complainant questioned the same. Consequently, on 10.04.2025, the petitioner-accused attacked the defacto complainant and his daughter with a wooden log and also threatened them using filthy language. Hence, the defacto complainant lodged a complaint against the petitioner-accused. Accordingly, an FIR was registered in Crime No. 32 of 2025.

4. Mr.B.Mahendrarajan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by



CRL.OP(MD). No.6976 of 2025

the prosecution. He further submits that a false case has been foisted against the petitioner. He further submits that the injured was discharged from the hospital. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner-accused attacked the defacto complainant and his daughter with a wooden log and also threatened them using filthy language. He further submits that the injured was discharged from the hospital after taking treatment as out-patient. He further submits that if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant and tamper with the evidence. However, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and also



CRL.OP(MD). No.6976 of 2025

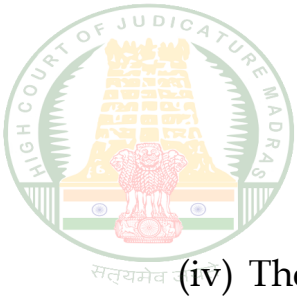
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considering the fact that the injured was discharged from the hospital, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Rameshwaram, Ramanathapuram 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Rameshwaram, Ramanathapuram 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 petitioner shall appear and sign before the learned Judicial Magistrate, Rameshwaram, Ramanathapuram District on all working days at 10.00 a.m. until further orders.



CRL.OP(MD). No.6976 of 2025

WEB COPY

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner 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.

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

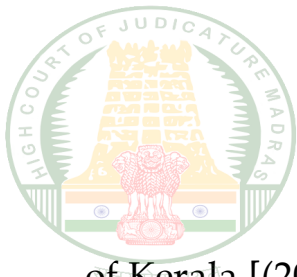
(vii) The petitioner shall not leave India without the previous permission of the Court.

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

(ix) The petitioner shall also not try to contact the defacto complainant and his family members either directly or through any electronic mode.

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

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner 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



CRL.OP(MD). No.6976 of 2025

of Kerala [(2005) 13 SCC 283].

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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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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,
Rameshwaram,
Ramanathapuram District.
2. The Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL.OP(MD). No.6976 of 2025

ORDER
IN
CRL OP(MD) No.6976 of 2025
Date :17/04/2025

VN/08.05 .2025 7P/5C

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