



CRL OP(MD). No.7016 of 2025

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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Selvam

... Petitioner/ Accused Rank Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No.142 of 2025

... Respondent/ Complainant

For Petitioner : Mr.P.Veerapandi

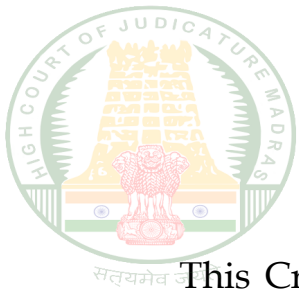
For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.142 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



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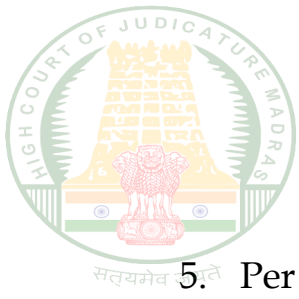
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This Criminal Original Petition has been filed by the petitioner on 15.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 331(4) and 305(a) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.142 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.02.2025, the petitioner and other accused persons have conspired together and stolen iron rods worth about Rs.3,000/- from the construction site of the defacto complainant. Hence, the case.

4. Mr.P.Veerapandi, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner has been arrayed as an accused only based on the confession of A1. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.



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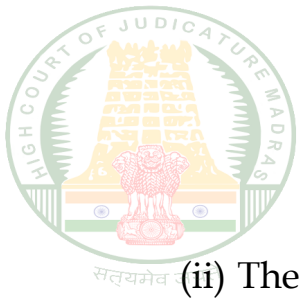
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5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the stolen property has been recovered from the petitioner. He further submits that the petitioner has no previous case. However, he prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that the stolen property has been recovered from the accused persons, this Court is of the view that custodial interrogation of the petitioner is not required for the investigation agency. In view of the above and taking note of the fact that the petitioner has no previous case 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 bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.III, Tirunelveli, 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 No.III, Tirunelveli;



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(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 make himself available for interrogation by a police officer as and when required;

(iv) 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;

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

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 09.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Tirunelveli;

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

(ix) 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



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petitioner in accordance with law as if the aforementioned conditions are imposed
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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

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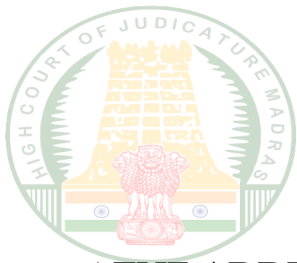
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Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

TO

- 1.THE JUDICIAL MAGISTRATE NO.III,
TIRUNELVELI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.



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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-4485[I] dated 22/04/2025)

ORDER
IN
CRL OP(MD) No.7016 of 2025
Date :17/04/2025

VN/16.05.2025 6P/6C

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