



CRL OP(MD). No.7030 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7030 of 2025

Boomi Nathan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Pallathur Police Station,
Sivagangai District,
In Crime No.17/2024.

... Respondent/Complainant

For Petitioner : Mr. Kr.Bharathi Kannan,
Advocate

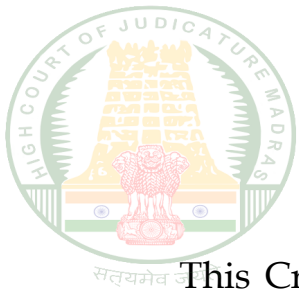
For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 17 OF 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.7030 of 2025

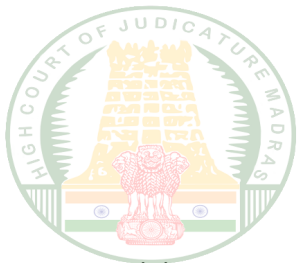
WEB COPY

This Criminal Original Petition has been filed by the petitioner on 16.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused No.1, apprehends arrest at the hands of the respondent-police initially registered for the offences punishable under Section 307 IPC, later altered into for the offences 109, 120(B), 341, 294(b), 324, 326,. 307 IPC, in Crime No.17 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 17.02.2024 at about 12.30 pm, while the defacto complainant came near to the railway bridge by two wheeler, the petitioner herein and other accused waylaid the defacto complainant and attacked him with deadly weapons and also abused him in filthy language. Hence, the case.

4. Mr.K.R.Bharathi Kannan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the



CRL OP(MD). No.7030 of 2025

petitioner.

WEB COPY

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that based on the confession of co-accused, the petitioner herein is arrayed as accused. He further submits that investigation in this case has already been completed and hence, the custodial interrogation of the petitioner is not necessary in this case.

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

7. Considering the facts and circumstances of this case and also considering the fact that the occurrence took place in the year 2024 and that the petitioner was arrayed as accused only based on the confession of co-accused and that the investigation has already been completed, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding. Considering the same, 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.



CRL OP(MD). No.7030 of 2025

WEB COPY

(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, Karaikudi, 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) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the said Magistrate.

(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, Karaikudi, Sivagangai District on all working days at 10.30 am until further orders.

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



CRL OP(MD). No.7030 of 2025

WEB COPY

(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 not leave India without the previous permission of the Court.

(vii) The petitioner shall not enter into the defacto complainant's residence or his work place.

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

(ix) The petitioner shall not, directly, or indirectly, cause threat to the defacto complainant and tamper with the evidence.

(x) 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



CRL OP(MD). No.7030 of 2025

against the petitioner in accordance with law as if the aforementioned conditions are
WEB COPY 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/-
21/04/2025

/ TRUE COPY /

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

TRP

TO

1. The Judicial Magistrate, Karaikudi,
Sivagangai District.
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Inspector of Police,
Pallathur Police Station,
Sivagangai District,



CRL OP(MD). No.7030 of 2025

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

ORDER
IN
CRL OP(MD) No.7030 of 2025
Date :21/04/2025

VN/13.05.2025 7P/5C

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