



CRL OP(MD). No.7218 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7218 of 2025

Arulpandi

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
Crime No.7 of 2025.

... Respondent/Complainant

For Petitioner : Miss.S.Meena for
Mr.Vishnuvardhan S,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.7 of 2025 on the file of the respondent-Police.



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WEB COPY ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 17.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 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 for the alleged offences punishable under Sections 296(b), 115(2), 118(1), 351(3) and Section 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.7 of 2025 on the file of the respondent-Police.

3.This is the second application. Earlier, the petitioner filed anticipatory bail petition and the same was allowed by this Court in CrI.O.P.(MD).No.1083 of 2025, vide order dated 22.01.2025. Thereafter, he did not produce sureties as ordered by this Court. Hence, the present application has been filed.

4. The case of the prosecution is that on 2025 new year day, there was some misunderstanding and the accused persons abused the defacto complainant in filthy language, threatened them with dire consequences and caused injuries by attacking them with wooden log and stones. Hence, the case. There are totally 6 accused



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persons in this case and the petitioner has been arrayed as A1.

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5. Ms.Meena, learned counsel for M/S.S.Vishnuvardhan, learned counsel on record, 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. She, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. She further submits due to employment and health condition of the petitioner, he was unable to produce sureties as ordered in the earlier application. He therefore prays for grant of pre-arrest bail to the petitioner.

6. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has four previous cases. He further submits that the petitioner disobeyed the condition imposed by this Court in the earlier application. The reason stated by the petitioner is not *bona fide*. Accordingly, he prays to dismiss this Criminal Original Petition.

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

8. Since the petitioner is a coolie worker, he was unable to execute sureties.



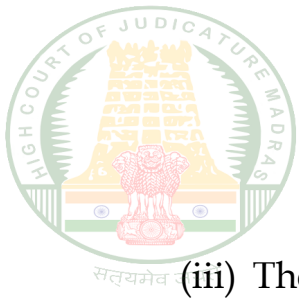
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Further, the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the gravity of offence, this Court is of the view that custodial interrogation of the petitioner for the investigation is not necessary. In view of the above as well as with a view to give one more 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 III, Thoothukudi 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 learned Judicial Magistrate III, Thoothukudi 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 III, Thoothukudi District, shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall appear and sign before the respondent-Police daily twice i.e., at 10.00 a.m. and 05.00 p.m. until further orders;

(iv) The petitioner shall make himself available for interrogation by police 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 them from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall not leave India without prior permission of the Court;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate III, Thoothukudi District;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate III, Thoothukudi District or Trial Judge, 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 / her as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].



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

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sd/-
22/04/2025

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

vsg

TO

1. THE LEARNED JUDICIAL MAGISTRATE III,
THOOTHUKUDI DISTRICT.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
PUDUKKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.7218 of 2025
Date :22/04/2025

VN/29.05.2025 7P/5C

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