



CRL OP(MD). No.7012 of 2025

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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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R Rajapandi

... Petitioner/ Accused
rank not known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thandikudi Police Station,
Dindigul District.
Crime No. 52/2025.

... Respondent/ Complainant

For Petitioner : Mr. M.Vignesh Kumar
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.52 of 2025 on the file of the Respondent Police.



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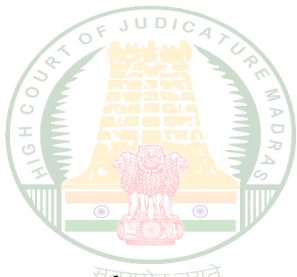
ORDER : The Court made the following order :-
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This Criminal Original Petition has been filed by the petitioner on 15.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused rank not known apprehends arrest at the hands of the respondent-police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.52 of 2025 on the file of the respondent-police.

3. The case for the prosecution is that on 03.04.2025, some un-identified persons had stolen the 60 Kgs of "Green Pepper" worth about Rs.12,000/- from 15 Pepper vines of the defacto complainant, where it was situated in Aathur Taluk, Kongapatti. Hence, the case.

4. Mr.M.Vigneshkumar, the learned counsel for the petitioner, submits that the petitioner is a coolie worker and he is an innocent person and he has been falsely implicated in this case. He, however, he submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant



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of pre-arrest bail to the petitioner.

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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 A1 the petitioner herein is arrayed as A2 and the fresh pepper weighing about 60 kgs have been recovered from A1. He further submits that the investigation of the case is still pending, and therefore, at this stage, if pre-arrest bail is granted to the petitioner, he may commit similar offence and cause threat to the defacto complainant and the witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the materials available on record.

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Further, the petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same, and also considering the fact that 60kgs of fresh pepper was recovered 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.



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(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 No.I, Kodaikanal, Dindigul 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 No.I, Kodaikanal, Dindigul 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 respondent-police daily at 9.00 a.m., until further orders;

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



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(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 furnish his residential address and mobile number to the concerned Magistrate.

(viii) The petitioner shall not directly or indirectly cause threat to the defacto complainant and his family members and tamper with the evidence.

(ix) 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 of Kerala [(2005) 13 SCC 283]*.



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

Sd/-

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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 Judicial Magistrate No.I, Kodaikanal, Dindigul District.

2 Do through the Chief Judicial Magistrate,
Dindigul.

3.The Inspector of Police,
Thandikudi Police Station,
Dindigul District.

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

+1. CC to M.VIGNESH KUMAR Advocate SR.No.25920(F) DT 22.04.2025



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ORDER
IN
CRL OP(MD) No.7012 of 2025
Date :17/04/2025

RK(15/05/2025) 7P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.