



CRL OP(MD). No.7982 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Meenakshisundaram

.. Petitioner/ Accused rank not known

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
K.Pudur Police Station,
Madurai District.
(Crime No.286 of 2021).

... Respondent/ Complainant

For Petitioner : Mr. R.Muthu Lakshmi,
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.286/2021 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 25.04.2025



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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 294(b), 323, 427, 506(i) and 379 of Indian penal Code, 1860, @ 379 and 427 of IPC, in Crime No.286 of 2021, on the file of the respondent-police.

3. The case of the prosecution is that there was a property dispute between the defacto complainant's family and the accused persons' family and two suits are also pending for the same. Due to the same, on 15.04.2021, when the defacto complainant entered into Advocate Chamber No.92, situated in Madurai High Court Premises, the accused persons entered into the chamber and quarrelled with him, threatened the defacto complainant and abused him in filthy language. They have also snatched his gold chain weighing 16 grams. Hence, the case.

4. Miss.R.Muthu Lakshmi, 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 any conditions to be imposed by this Court. He further submits this is the second application. Earlier this Court granted anticipatory bail in Crl.O.P.(MD).No.8185 of 2023, dated 28.04.2023, but, the



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petitioner was unable to execute sureties. Therefore, she 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 initially the respondent Police registered a case for the offences punishable under Sections 294(b), 323, 427, 506(i) and 379 of IPC. After investigation, the respondent-Police altered Section into 379 and 427 of Indian Penal Code, 1860, and filed a final report on 20.04.2021, as against the accused persons. So far as the petitioner is concerned, the respondent-Police filed an absconding charge sheet. Now the case is posted for appearance of the accused before the trial Court. Therefore, he prays to dismiss this Criminal Original Petition.

6.This Court has perused the First Information Report (FIR) dated 20.04.2021. The petitioner name does not find place in the FIR. It is learnt that the petitioner has been arrayed as one of the accused and he has been shown as absconding accused in the charge sheet. Hence, the petitioner reasonably apprehends that if he surrenders before trial Court, the trial Court may remand/detain him to prison. Hence, the petitioner moved Crl.O.P(MD) No.8185 of 2025 and the same was ordered on 28.04.2023. But, the petitioner has failed to execute sureties within the stipulated time. Hence, the petitioner files this Original Petition seeking an order of



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pre-arrest bail.

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7.Considering the facts and circumstances of the case, and the nature of the offence alleged against the petitioner, the apprehension of the petitioner in his mind that if he appears/surrenders before the trial Court, it may send him to prison or order to detain him in prison, is a reasonable apprehension. Considering the fact that the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding, and taking note of the fact that this Court earlier on 28.04.2023, granted anticipatory bail to the petitioner and the petitioner failed to execute sureties and hence, the anticipatory bail order passed by this Court is not effected, and with a view to give one more opportunity to the petitioners to reform themselves, this Court is inclined to grant 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 VI, Madurai, 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 VI, Madurai,;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate VI, Madurai, 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 VI, Madurai, weekly twice (ie., on Monday and Friday) at 10.00 a.m., until further orders and on all hearing dates when the Court requires his appearance;

(iv) The petitioner shall cooperate with the trial proceedings for expeditious disposal of the case;

(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, directly or indirectly cause threat to the defacto complainant and the witnesses and shall not tamper with the evidence;

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

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate VI, Madurai,; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate VI, Madurai, or Trial Court, as the case may be, is entitled to pass



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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].

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

Sd/-

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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 VI,
Madurai.
2. Do Through
The Chief Judicial Magistrate,
Madurai.
3. The Inspector of Police,
K.Pudur Police Station,
Madurai District.



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

ORDER
IN
CRL OP(MD) No.7982 of 2025
Date : 29/04/2025

BV(27/05/2025) 7P/ 5C

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