

CRL OP(MD). No.7109 of 2025

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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.7109 of 2025

P Arjunan

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Special Sub-Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No. 88 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. N.Sudhagar Nagaraj,
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. 88 of 2025 on the file of the respondent Police.



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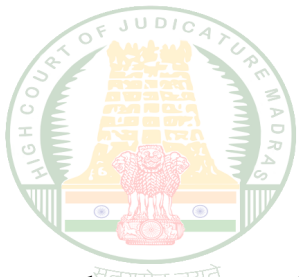
ORDER : The Court made the following order :-

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 / Sole accused apprehends arrest at the hands of the respondent-police for the offence punishable under Section 296(b), 118(1), 351(3) and 109(1) of BNS, 2023, in Crime No.88 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 09.04.2025 at about 4.00 pm, while the petitioner was having food near Nadesan's Shop at Pannaiveedu, Thottiyam, where a wordy quarrel ensued between the petitioner and the defacto complainant and that the petitioner herein has attacked the defacto complainant with sickle and thereby, caused injuries. Hence, the complaint.

4. Mr.N.Sudhagar Nagaraj, 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 a false case has been foisted against the petitioner. He,



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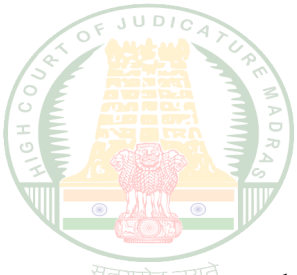
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however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that it is a case in counter and both the petitioner and the injured has already been discharged from the hospital. He further submits that there is no previous case pending against the petitioner. He further submits that investigation of the case is pending. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation 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 also considering the facts and circumstances of the case and also taking note of the fact that it is a case in counter and with a view to give an opportunity to reform himself, this Court is inclined to



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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, Thottiyam within a period of 15 days from 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 said Magistrate.

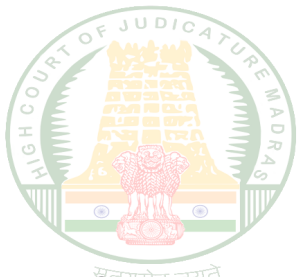
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent - Police daily at 10.00 am until further orders.

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

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



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vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and her family members and tamper with evidence.

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

(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 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]*.

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

Sd/-

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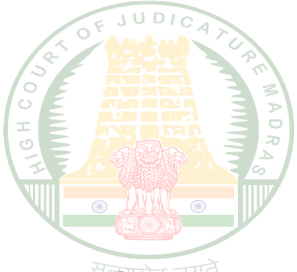
Sub-Assistant Registrar

(C.S.I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

TRP



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1. The Judicial Magistrate, Thottiyam
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Special Sub-Inspector of Police,
Thottiyam Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.7109 of 2025
Date :21/04/2025

RK(14/05/2025) 6P / 5C

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