



CRL.OP(MD). No.7343 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.7343 of 2025

S.Ramesh

... Petitioner / Accused Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
(Crime No.222 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.222 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Karansingh,
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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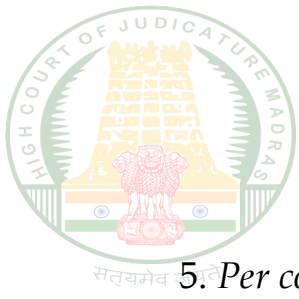
to grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 326(f), 351(3) of BNS, 2023 and Section 3 of the TNPPDL Act, 1992, in Crime No.222 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 04.04.2025, at about 9:45 PM, A1 and other accused person, trespassed in front of the defacto complainant's house. Thereafter, using a sickle held by A1, they damaged the windshield of the Innova Crysta vehicle bearing registration No.TN-72-D24070001231, which was parked in front of the defacto complainant's house. Subsequently, they poured petrol on the vehicle and set it on fire. Based on the above allegations, the respondent-police registered the present case.

4. Mr.K.Karansingh, 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. He further submits that a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



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5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused person assaulted the defacto complainant and threatened with dire consequences. He further submits that the accused persons damaged the windshield of the Innova Crysta vehicle bearing registration No.TN-72-D24070001231, which was parked in front of the defacto complainant's house. Subsequently, they poured petrol on the vehicle and set it on fire. He therefore contends that if the petitioner is released on pre-arrest bail, he will cause threat to the defacto complainant and tamper with the evidence. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also taking into account of the fact that the petitioner is ready to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted 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 No.III, Tirunelveli, within a period of 20 days from the date on which the order copy is



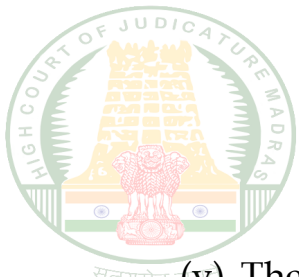
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made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli.

(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 deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Crime No.222 of 2025 on the file of the respondent-police, before the learned Judicial Magistrate No.III, Tirunelveli, within a period of twenty days from the date on which the order copy is made ready. In turn, the learned Judicial Magistrate shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.222 of 2025. The Trial Court shall decide the entitlement to the deposit amount at the time of passing the final order or judgment.

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.



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

(vi) 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.

(vii) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioner shall not leave India without the previous permission of the Court.

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

(x) The petitioner shall not enter into the defacto complainant's house or his work place and shall not try to contact the defacto complainant either directly or through any electronic mode.

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate 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 them 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*.

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Sd/-

23/04/2025

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/05/2025

Sub Assistant Registrar
(CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai.

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To

- 1.The Judicial Magistrate No.III,
Tirunelveli.
- 2.Do Through
The Chief Judicial Magistrate,
Tirunelveli.
- 3.The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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23.04.2025

KVL - (27.05.2025) 7P/ 6C

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