



CRL OP(MD). No.7366 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Rajendran @ Rahul
2. Sudalai
3. Mariappan
4. Thangaraj

... Petitioners/ Accused
Nos. 3 to 6

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
Cr.No.76/2025.

... Respondent/ Complainant

For Petitioners : Mr. Ka. Ramakrishnan
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 Cr.No.76 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 petitioners on 21.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / Accused Nos.3 to 6 apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, on the file of the respondent-police.

3. The case of the prosecution is that due to wordy quarrel, on 20.03.2025, the petitioners herein have attacked the defacto complainant, who is the Juvenile, and also abused him in filthy language. Hence, the case.

4. Mr.Ka.Ramakrishnan, the learned counsel for the petitioners, submits that the petitioners are innocent person, and they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He however submits that the petitioners are 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 (Crl. Side) appearing for the respondent-police, submits that there are 7 previous cases



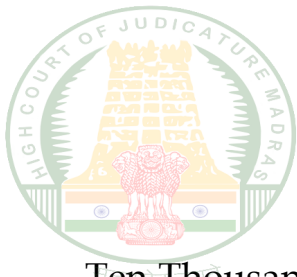
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pending against Accused No.4 and one previous case pending against the accused No.6 and that there is no previous case pending against the accused Nos.3 and 5 and the injured was discharged from the hospital. He further submits that the investigation of the case is still pending and, therefore, at this stage, if pre-arrest bail is granted to the petitioners, they may cause threat to the witnesses and commit the similar offence. 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 petitioners and also considering the fact that the injured was discharged from the hospital, this Court is of the considered opinion that the custodial interrogation of the petitioners is not necessary in this case. The petitioners have permanent residence and therefore, there is less possibility for absconding. Considering the same, and also considering the facts and circumstances of the case, and with a view to give one more opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Thirunelveli, Thirunelveli District 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



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Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/-
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(Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate
No.I, Thirunelveli.

(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 No.I, Thirunelveli, Thirunelveli District shall obtain a copy of any one of identity proofs to ensure their identity.

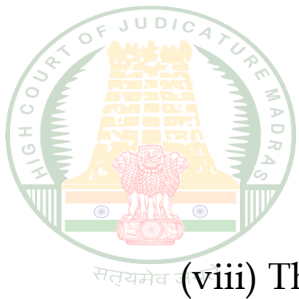
(iii) The petitioners shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, daily at 10.00 am and 5.00 pm until further orders;

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

(v) The petitioners 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 petitioners shall not leave India without the prior permission of the Court.

(vii) The petitioners shall not directly or indirectly cause any threat to the defacto complainant and tamper with the evidence.



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(viii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Thirunelveli.

(ix) The petitioners shall not enter into the house of the defacto complainant's or his work place and further, the petitioner should not try to contact the defacto complainant through any electronic mode.

(x) On breach of any of the aforementioned conditions, the the learned Judicial Magistrate No.I, Thirunelveli, is entitled to pass appropriate orders against the petitioners 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]*.

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

Sd/-

23/04/2025

// True Copy //

/ /2025

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

TRP



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TO मेव जयते

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1. Learned Judicial Magistrate No.I,
Thirunelveli.
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
4. The Inspector of Police,
Thallakulam Police Station,
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-4805[I] dated 25/04/2025)

ORDER

IN

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Date : 23/04/2025

BV (07/05/2025) 6P/ 7C

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