



CRL OP(MD). No.7409 of 2025

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

Date : 23/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Manimaran
2. Palaniappan
3. Sundharapandian
4. Renugadevi

... Petitioners/ Accused Nos.1 to 4

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
Cr.No.42/2025.

... Respondent/ Complainant

For Petitioners : Mr. Alagia Nambi
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 Cr.No.42 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 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 / A1 to A4 apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 126(2), 115(2), 118(1), 351(3) of BNS, 2023, in Crime No.42 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 15.06.2024, when the defacto complainant went to the house of the first accused for attending her mother's funeral rites and at that time, the petitioners herein prevented the defacto complainant from performing the final rites for her mother and assaulted her with wooden logs and stones and also abused her in filthy language. Hence, the case.

4. Mr.Alagia Nambi, the learned counsel for the petitioners, submits that the petitioners are innocent persons, that they have not committed any offence as



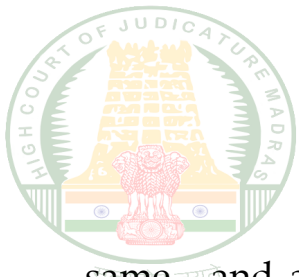
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alleged by the prosecution, and they have been falsely implicated in this case. He further submits that the it is a case and counter and the petitioners are ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that although defacto complainant has sustained only simple injury. The investigation of the case is still at preliminary stage and therefore, at this stage, if the pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant and witnesses. Hence, he prays to dismiss this Criminal Original Petition.

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

7. In view of the nature of offence alleged against the petitioners and also considering the fact that the defacto complainant has sustained only simple injury, this Court is of the view that custodial interrogation of the petitioners is not necessary in this case. The petitioners have permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the



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same, and also considering the nature of allegation against the petitioners, and
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with a view to give an 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, Singampuneri 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) each 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, Singampuneri.

(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, Singampuneri, shall obtain a copy of any one of identity proofs to ensure their identity.

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



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(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 him from disclosing such facts to the Court or to any police officer.

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

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

(viii) The petitioners shall furnish their residential address and mobile number to the Judicial Magistrate, Singampuneri.

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



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appropriate orders against the petitioners in accordance with law as if the
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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/-
23/04/2025

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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, Singampuneri
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Inspector of Police,
S.V. Mangalam Police Station,
Sivagangai District.

<https://www.mhcoj.go.in/judis>



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

+1 CC to M/s.R.ALAGIA NAMBI, Advocate (SR-4755[I] dated 25/04/2025)

ORDER
IN

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Date :23/04/2025

VN/26.05.2025 7P/6C

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