



CRL OP(MD). No.7683 of 2025

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

Date : 25/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7683 of 2025

Prabakaran

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Rameswaram Town Police Station,
Ramanathauram District.
(Crime No.28 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. V. Karuna
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.28/2025 on the file of the Respondent Police.



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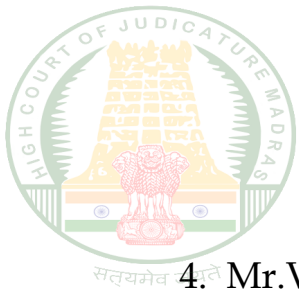
ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 23.04.2025 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 offences punishable under Sections 132 and 351(2) of BNS, 2023 in Crime No.28 of 2025 on the file of the respondent-police.

3. The case of the prosecution as per the defacto complainant, Sub Inspector of Police, Rameswram Coastal Police Station, is that on 09.02.2025 at about 8.00 am, on the road opposite to his house, five persons are shouted to attack one person and when same was questioned by the defacto complainant, the accused person shouted as he is an Advocate and Ward Councilor for that area. Further, the accused person stated before the defacto complainant, who was in uniform that this was not his station limit. He further intimidated the defacto complainant by misusing his status thereby obstructing him from performing his lawful duty. Hence, the case.



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4. Mr.V. Karuna, 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, he submits that the petitioner is ready to abide any conditions that may 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 no one has sustained injury in the said occurrence. 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 petitioner, he may commit similar offence and cause threat to the defacto complainant and the witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the materials available on record.

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Further, the petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same, and also considering



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the facts and circumstances of the case and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to 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, Rameswaram 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, Rameswaram.

(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 report before the learned Judicial Magistrate, Rameswaram on all working days at 10.00 a.m., until further orders.

(iv) The petitioner shall make himself available for interrogation by a police



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officer as and when required.

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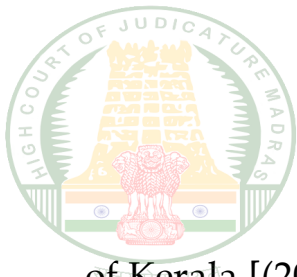
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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

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

(viii) The petitioner shall not directly or indirectly cause threat to the defacto complainant and his family members and tamper with the evidence.

(ix) 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 them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State



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of Kerala [(2005) 13 SCC 283].

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

sd/-
25/04/2025

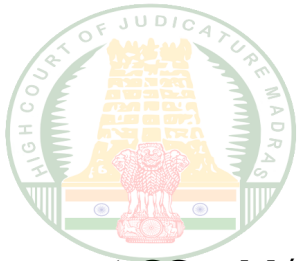
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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Rameswaram
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Rameswaram Town Police Station,
Ramanathauram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.V.KARUNA, Advocate (SR-4789[I] dated 25/04/2025)

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ORDER

IN

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Date :25/04/2025

VN /28.05.2025 7P/6C

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