



CRL OP(MD). No.7520 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7520 of 2025

1.Rajeevghanthi
2.Karthick
3.Aswin Prakash

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Pamban Police Station,
Pamban, Rameswaram Taluk,
Ramanathapuram District.
Crime No.41 of 2025

... Respondent/Complainant

For Petitioners : Mr.S.A.Syed Shaik Alaudeen

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.41 of 2025 on the file of the respondent-police.



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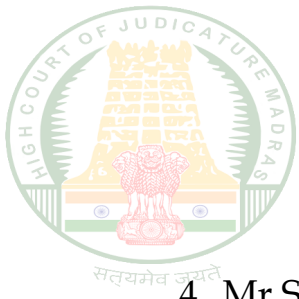
ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 22.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the alleged offences punishable under Sections 296(b) and 115(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.41 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as a labour under A1 and he demanded additional salary, due to which, there was a wordy quarrel between the accused persons and the defacto complainant. While so, on 28.04.2025, A2 and A3 waylaid the defacto complainant and dispute arose between them, which was intercepted by a couple, at that time, the petitioners and other accused persons abused the couple in filthy language and harassed them. Hence, the case.



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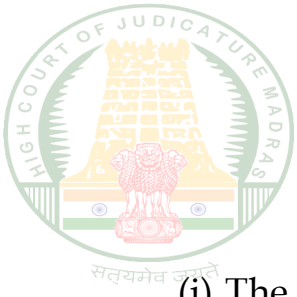
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4. Mr.S.A.Syed Shaik Alaudeen, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He however submits that the petitioners are ready to abide any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the no one sustained injury in this case. He also submits that the petitioners have no previous case. However, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of the offences allegedly committed by the petitioners and considering the fact that since the petitioners have permanent residence and deep roots in the society, there is less possibility of absconding and taking note of the fact that the petitioners are first time offenders and 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:



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(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned District Munsif cum 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) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned District Munsif cum 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 identity proof of each surety to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by police as and when required;

(iv) 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;

(v) The petitioners shall not leave India without the previous permission of the Court;

(vi) The petitioners shall appear and sign before the respondent-Police daily at



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10.00 a.m. until further orders;

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(vii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Rameswaram;

(viii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses, and shall not tamper the evidence; and

(ix) On breach of any of the aforementioned conditions, concerned Magistrate or Trial Judge as the case may be, 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/-
24/04/2025

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/05/2025

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

MBI
TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, RAMESWARAM.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM.

3 THE SUB INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
PAMBAN,
RAMESWARAM TALUK,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.7520 of 2025
Date :24/04/2025

SS/SAR- /27/05/2025/ 6P/5C

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