



CRL OP(MD). No.7642 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Vikram

2. Palanivel

... Petitioners/ Accused Nos.2 &4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
Crime No.38 of 2025.

... Respondent/ Complainant

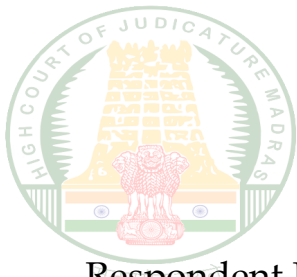
For Petitioners : Mr.S.Anandhakumar
Advocate

For Respondent : Mr.S.S. Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-38AB. For Anticipatory Bail in Crime No.38 of 2025 on the file of the



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Respondent Police.

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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 23.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail.

2. The petitioners / Accused Nos.2 and 4, apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b), 115(2), 118 (2) and 351(3) of BNS, 2023, in Crime No.38 of 2025, on the file of the respondent police.

3. The case of the prosecution is that on 16.02.2025 at about 1.30 am when the defacto complainant was sleeping on the cot in front of his house, he wake up on hearing the barking noise of the dog, at that time, the petitioners and other accused persons pelted stones on the dog. When the same was questioned by the defacto complainant, the petitioners have abused him in filthy language and also assaulted with Aruval and knife and pushed him down and thereby, caused injuries to him and also threatened to kill him. Hence, the case.



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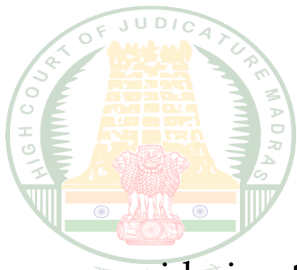
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4. Mr.S.Anandakumar, the learned counsel for the petitioners, submits that the petitioners are innocent persons that they have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that the injured was admitted in the hospital on 16.02.2025 and discharged on 02.03.2025. He further submits that there is one previous case pending against the petitioners and the investigation of the case is pending and therefore, at this stage, if pre-arrest bail is granted to the petitioners they will cause threat to the defacto complainant and other witnesses. Hence, he strongly opposes to grant pre-arrest bail to the petitioners.

6. Heard both sides and perused the records.

7. In view of the nature of weapons used by the petitioners and also



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considering the nature of injury and the period of treatment and that the petitioners
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have one previous case, this Court is of the opinion that, if the pre-arrest bail is
granted to the petitioners, they may cause threat to the defacto complainant and
other witnesses. Hence, this Court is not inclined to grant pre-arrest bail to the
petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

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 Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :25/04/2025

VN /27.05.2025 5P/3C

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