



CRL OP(MD). No.7682 of 2025

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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.7682 of 2025

Sankar

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Murappanadu Police Station,
Thoothukudi,
Crime No.140 of 2025.

... Respondent/Complainant

For Petitioner : Miss.K.P. Ilakkiya
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. 140 of 2025 on the file of the Respondent
Police.



CRL OP(MD). No.7682 of 2025

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 / Accused No.6 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 115(2), 118(1) and 351 (3) of BNS, 2023 i.e., under Sections 323, 324 and 506(ii) of IPC in Crime No.140 of 2025 on the file of the respondent-police.

3. The case for the prosecution is that during the time of temple festival on 02.04.2025, there was a wordy quarrel arose between the parties and that the petitioner herein and other accused have attacked the defacto complainant and also threatened him with dire consequences. Hence, the case.

4. Miss.P.Ilakkiya, 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. However, he



CRL OP(MD). No.7682 of 2025

submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

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5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that A1, A2 and A5 were already arrested and the two wheeler were recovered from them. 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. This Court has perused the First Information Report. There is no specific overt act has been stated against the petitioner. Considering the fact and circumstances, 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 the fact that the two wheeler has been



CRL OP(MD). No.7682 of 2025

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recovered from the co-accused 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 No.I, Srivaikundam, 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 No.I, Srivaikundam.

(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 appear and sign before the respondent-police daily at 10.00 a.m., until further orders;



CRL OP(MD). No.7682 of 2025

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

(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



CRL OP(MD). No.7682 of 2025

against the petitioner in accordance with law as if the aforementioned conditions are
WEB COPY 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/-
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 No.I, Srivaikundam.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi,



CRL OP(MD). No.7682 of 2025

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

+1 CC to M/s.M/S.APN LAW ASSOCIATES, Advocate (SR-4975[I] dated
29/04/2025)

ORDER
IN
CRL OP(MD) No.7682 of 2025
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