



CRL OP(MD). No.8132 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8132 of 2025

Muneeswaran

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
Crime No.111 of 2025

... Respondent/Complainant

For Petitioner : Mr.S.Maya Perumal

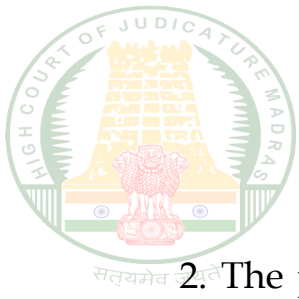
For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.111 of 2025 on the file of the respondent-police.
ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 28.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



CRL OP(MD). No.8132 of 2025

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 25(1A) of Arms Act in Crime No.111 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 20.02.2025, at about 16.15 hours, during raid at Sivakasi Housing Board Area, the respondent-Police found that the petitioner and another accused person halted an auto on road near Kamala Pushpam Complex with sword and sickle and shouted that they are planning to murder Muthuraj, who had dispute with the present petitioner. At that time, the Police captured A2, however, the present petitioner / A1 escaped the scene of occurrence. Hence, the case.

4. Mr.S.Maya Perumal, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and a false case has been foisted against him. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.M.Karunanithi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner has no previous case. He further submits that the weapons have been recovered from co-accused / A2. He however submits that investigation is yet to be completed and accordingly



CRL OP(MD). No.8132 of 2025

he prays to dismiss this Criminal Original Petition.

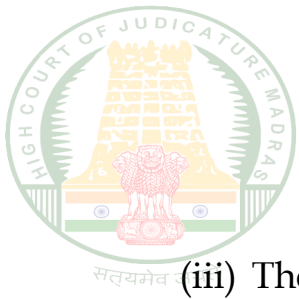
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6. Heard on both sides. This Court has perused the records.

7. Considering the nature of the offences allegedly committed by the petitioner and considering the fact that the weapons have been recovered from co-accused / A2 and taking note of the fact that the petitioner has no previous case, this Court is of the view that the custodial interrogation of the petitioner may not be necessary for the investigation agency. Hence, 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 bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Sivakasi, 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.II, Sivakasi;

(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;



CRL OP(MD). No.8132 of 2025

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

(iv) 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;

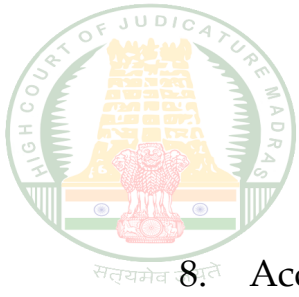
(v) The petitioner shall not leave India without the previous permission of the Court;

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Sivakasi;

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

(ix) On breach of any of the aforementioned conditions, concerned 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 of Kerala [(2005) 13 SCC 283].



CRL OP(MD). No.8132 of 2025

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

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

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TO

- 1.The Judicial Magistrate No.II, Sivakasi.
- 2.Do through the Chief Judicial Magistrate, Virudhunagar at Srivilliputhur.
- 3.The Inspector of Police, Thiruthangal Police Station, Virudhunagar District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.8132 of 2025
Date :30/04/2025

PP/27.05.2025 5P/5C

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