



CRL OP(MD). No.7832 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7832 of 2025

Chithirai Selvan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Samayapuram Police Station,
Trichy District.
(Crime No.248 of 2024).

... Respondent/ Complainant

For Petitioner : Mr. S Gurumoorthy
Advocate

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

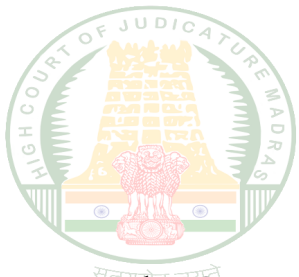
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.248/2024 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 24.04.2025



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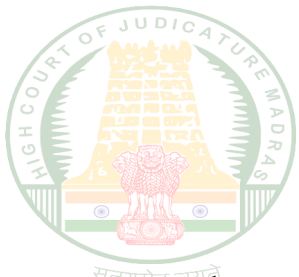
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
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to grant an order of pre-arrest bail.

2. The petitioner / accused No.1 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 125(a) and 290 of BNS, 2023 in Crime No.248 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 01.08.2024 about 6.00 am, when the defaco complainant's husband and another person were doing centering work, at that time, they have touched the electric wire, which was passing near to their work place, due to the shock, they have admitted at Srirengam Government Hospital. Hence, the case.

4. Mr.S.Gurumoorthy, 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 further submits that the petitioner is ready to abide any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K. Sanjai Gandhi the learned Government Advocate (Criminal Side) appearing for the respondent-police, on instructions, submits that investigation in this case has already been completed and the charge sheet is made ready. He however submits tht if pre-arrest bail is granted to the petitioner, he may



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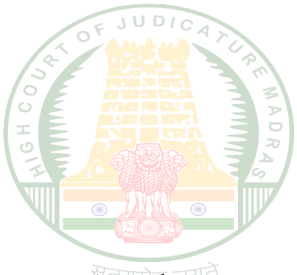
cause threat to the defacto complainant and witnesses and commit the similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. This Court has perused the First Information Report. In view of the facts and circumstances of the case and also considering the fact that the investigation of the case has been completed and the charge sheet was made ready, this Court is of the view that the custodial interrogation of the petitioner is not necessary. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility for absconding. Considering the above, and also considering the nature of offences allegedly committed by the petitioner 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.III, Trichy, 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.III, Trichy.

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.III, Trichy shall obtain a copy of any one of identity proof of each surety to ensure their identity.

(iii) The petitioner shall report before the learned Judicial Magistrate No.III, Trichy on all working days at 10.30 am until further orders.

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

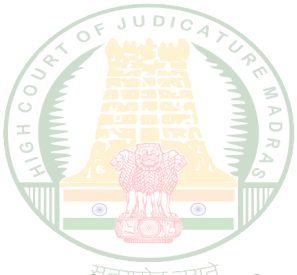
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to police.

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

(vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and the witnesses and shall also not tamper with the evidence.

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Trichy.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.III, Trichy or the Trial Judge 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



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Supreme Court in *P.K. Shaji vs. State 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/-

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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.III,
Trichy
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Samayapuram Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-4887[I] dated 28/04/2025)



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ORDER

IN

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Date : 28/04/2025

BV(27/05/2025) 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.