



CRL OP(MD). No.7922 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Vignesh

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nangavaram Police Station,
Karur District.
(In Crime No.110 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.V. Karuna,
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.110 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 petitioner on 25.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / A2 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 305 and 331(4) of Bharatiya Nyaya Sanhita, 2023, in Crime No.110 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that the defacto complainant is working as Village Administrative Officer, Puthur Village. In Puthur Village, there is a company namely "Schempp Ayurvedic Product Pvt. Ltd." and due to dispute between the owners, the said company was sealed and closed as per the order of the trial Court. While being so, on 15.04.2025, at about 10.00 p.m., the defacto complainant received information and hence, the defacto complainant went to the spot along with his assistants and found that the petitioner and other accused persons committed theft of Sofa and furniture worth about Rs.10,000/- from inside the company by using their vehicle bearing Registration No.TN 48 V 8928. On seeing the defacto complainant, they escaped from the scene of occurrence. Hence, the case.

4. Mr.V.Karuna, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case has been



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foisted against the petitioner. He however submits that the petitioner is ready to abide any conditions to be imposed by this Court, and co-operate with the investigation. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.S.Manoj, learned Government Advocate (Criminal side) appearing for the respondent-Police, submits that the stolen properties have been recovered by the respondent-Police from the accused. However, if pre-arrest bail is granted, he may cause threat to the defacto complainant. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the fact that the stolen properties were recovered from the accused persons by the respondent-Police. Hence hereafter, the custodial interrogation of the petitioner may not necessary 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 Court No.II, Kulithalai, Karur District, within a period of 15 days from the date on which the



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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 Court No.II, Kulithalai, Karur District,;

(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 Court No.II, Kulithalai, Karur District, shall obtain a copy of any one of identity proofs to ensure their identity;

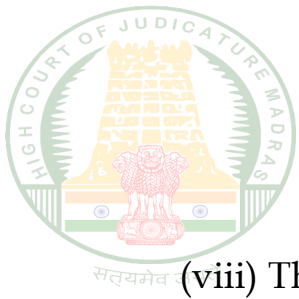
(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

(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 previous permission of the Court;

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



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(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.II, Kulithalai, Karur District,; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court No.II, Kulithalai, Karur District, or 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 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/-

29/04/2025

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/05/2025

Sub Assistant Registrar
(CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai.

VSG

TO

1.The Judicial Magistrate Court No.II,
Kulithalai, Karur District.



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2.Do Through

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The Chief Judicial Magistrate,
Karur.

3.The Inspector of Police,
Nangavaram Police Station,
Karur District.

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

+1 CC to M/s.V.KARUNA, Advocate (SR-5276[I] dated 30/04/2025)

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Date : 29/04/2025

KVL - (27.05.2025) 6P/ 6C

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