



CRL OP(MD). No.8068 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 30/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Ebinezer Jebarajan

Vs

... Petitioner/ Accused rank not known

The State of Tamilnadu,
Rep. by its the Inspector of Police,
All Women Police Station(South),
Madurai District.
Crime No.14 of 2025.

... Respondent/Complainant

For Petitioner : Mr. B.Arun
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.14 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 the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / Accused [rank not known] apprehends arrest at the hands of the respondent-police for the alleged offences punishable under Section 74 and 75 (1) of BNS, 2023 in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 26.03.2025, the petitioner herein, who is the father of the defacto complainant, has sexually harassed the defacto complainant. Hence, the case.

4. Mr.B.Arun, 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 however 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.M.Karunanithi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that investigation has already been completed and hence, custodial interrogation of the petitioner is not necessary

in this case

<https://www.jmc.tn.gov.in/judis>



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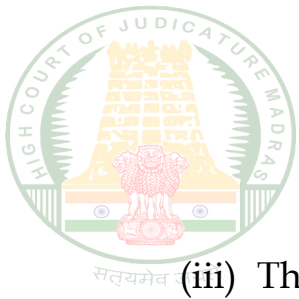
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6. Heard on both sides. This Court has perused the records.

7. In view of the offence alleged against the petitioner and also considering the submission made by the learned Government Advocate (Crl. Side), this Court is of the opinion 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 above, and also considering the facts and circumstances of the case 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 bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.II, Madurai, 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, Madurai.

(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 No.II, Madurai shall obtain a copy of any one identity proof of each surety to ensure their identity.



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(iii) The petitioner shall appear and sign before the respondent - Police weekly twice ie., on every Monday and Friday at 10.30 am until further orders.

(iv) The petitioner shall make himself available for interrogation by police 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 them from disclosing such facts to the Court or to any police officer.

(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 should not enter into the defacto complainant's residence or her work place until further orders.

(ix) The petitioner shall not try to contact the defacto complaint either directly or through any mode including electronic mode.

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

(xi) On breach of any of the aforementioned conditions, learned Judicial Magistrate No.II, Madurai or Trial Judge as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the



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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]*.

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

Sd/-

30/04/2025

// True Copy //

/2025

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

TRP

TO

1. The Judicial Magistrate No.II, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
All Women Police Station(South),
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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WEB COPY +1CC to M/s.B.ARUN, Advocate SR.No.5263[I] dated 30/04/2025.

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Date : 30/04/2025

KVL/26.05.2025 6P/6C

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