

CRL OP(MD). No.8096 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.8096 of 2025

1.Sekar  
2.Balakrishnan  
3.Ananthakumar  
4.Mohan

... Petitioners/ Accused Nos.10 to 13

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Bodinayakkanur Rural Police Station,  
Theni District.

Crime No.111 of 2025

... Respondent/ Complainant

For Petitioners : Mr.R.Ganesh Prabu

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 petitioners on 28.04.2025



CRL OP(MD). No.8096 of 2025

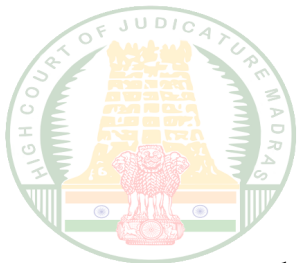
under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to  
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grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 191(3), 296(b), 132, 121(1), 127(2) and 351(3) of Bharatiya Nyaya Sanhita, 2023, in Crime No.111 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 11.04.2025, during the Muthumariyamman Kovil Festival, there was a wordy quarrel between the petitioner and his family members and rival parties. Due to which, the police intercepted them, at that time, the petitioner and other accused persons abused the police officials in filthy language and restrained them from doing their duty. Hence, the case.

4. Mr.R.Ganesh Prabu, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and a false case has been foisted against them. He however submits that the petitioners are ready to abide any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.M.Karunanithi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioners have no previous



CRL OP(MD). No.8096 of 2025

case. He however submits that if the petitioners are granted pre-arrest bail, untoward incidents may occur. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioners.

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

7. Considering the fact that the petitioners have permanent residence and deep roots in the Society and therefore, there is less possibility of absconding, and taking note of the fact that there are no bad antecedents against the petitioners and with a view to give one more opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Bodinayakkanur, Theni District, 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.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Bodinayakkanur, Theni 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



*CRL OP(MD). No.8096 of 2025*

Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of  
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identity proofs to ensure their identity;

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

(iv) The petitioners 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 petitioners shall not leave India without the previous permission of the Court;

(vi) The petitioners shall stay at Dindigul District and appear and sign before the Dindigul Town Police Station, Dindigul, daily at 10.00 a.m., until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Bodinayakkanur, Theni District;

(viii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and 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 petitioners 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



CRL OP(MD). No.8096 of 2025

[(2005) 13 SCC 283].

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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

*mbi*

TO

1.The Judicial Magistrate,  
Bodinayakkanur, Theni District.

2.Do Through  
The Chief Judicial Magistrate,  
Theni.

3.The Inspector of Police,  
Bodinayakkanur Rural Police Station,  
Theni District.

4.The Inspector of Police,  
Dindigul Town Police Station,  
Dindigul District.

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

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



CRL OP(MD). No.8096 of 2025

WEB COPY +1 CC to M/s.R.GANESH PRABHU, Advocate ( SR-5151[I] dated 30/04/2025 )

CRL OP(MD) No.8096 of 2025  
Date : 30.04.2025

BV(26/05/2025) 6P/ 7C

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