



CRL OP(MD). No.8173 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

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1.Pandiyan
2.Mokkammal
3.Krishna Kumar

... Petitioners/ Accused Nos.1, 2 & 4
Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vaiyampatti Police Station,
Tiruchirappalli District.
Crime No.108 of 2025

... Respondent/Complainant

For Petitioners : Mr.C.Jeyaprakash
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.108 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 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



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grant an order of pre-arrest bail.

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2. The petitioners apprehend arrest at the hands of the respondent-police for the alleged offences punishable under Sections 296(b), 118(1) and 351(3) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.108 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 16.03.2025, the defacto complainant made a wrong call and the person who attended the same abused him using filthy language and enquired about his place. While so, on 08.04.2025, at about 04.20 p.m., the accused persons came to the house of the defacto complainant and abused the defacto complainant's mother in filthy language. When the same was questioned by the defacto complainant, the accused persons attacked him and threatened him with dire consequences. Hence, the case.

4. Mr.C.Jeyaprakash, 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 defacto complainant was



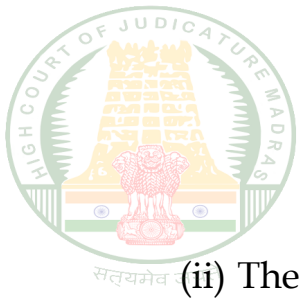
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admitted in the hospital on 08.04.2025 and discharged on 10.04.2025. He further submits that the petitioners have no previous case. He however submits that if pre-arrest bail is granted to the petitioners, they will cause threat to the defacto complainant and witnesses. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of the offences allegedly committed by the petitioners and also considering the fact that the injured has been discharged from the hospital and taking note of the fact that the petitioners are first offenders and with a view to give an 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, Manapparai, Trichy 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.10,000/- (Rupees Ten Thousand only) each 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, Manapparai, Trichy District;



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(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, Manapparai, Trichy District shall obtain a copy of any one identity proof of each surety to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by police 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 them from disclosing such facts to the Court or to any police officer;

(v) The petitioners shall not leave India without prior permission of the Court;

(vi) The petitioners shall appear and sign before the respondent-Police 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, Manapparai, Trichy 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 Judge 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



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by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala
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[(2005) 13 SCC 283].

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

sd/-
30/04/2025

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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, Manapparai, Trichy District.
- 2.Do through the Chief Judicial Magistrate, Trichy District.
- 3.The Inspector of Police, Vaiyampatti Police Station, Tiruchirappalli District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.8173 of 2025
Date :30/04/2025

PP/28.05.2025 5P/5C

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