



CRL OP(MD)No.9101 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS.JUSTICE R.POORNIMA

CRL OP(MD)No.9101 of 2025

Mohan @ Mohanraj

... Petitioner/ Accused No.5

Vs

The State represented by
The Inspector of Police,
Thiruverambur Police Station,
(Crime No.435 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Murugappan

For Respondent : Mrs.M.Aasha
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.435 of 2025 on the file of the respondent police.



CRL OP(MD)No.9101 of 2025

ORDER : The Court made the following order :-

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The petitioner/accused no.5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2) and 351(3) of BNS, 2023 and Section 4 of TNPHW Act, 2002 in Crime No.435 2025, seek anticipatory bail.

2. The case of the prosecution is that on 15.05.2025 at 10.30 p.m, the defacto complainant and his wife were staying in their house. They heard sound from backside of the house and upon noticing that, the accused persons were consuming alcohol and created annoyance. When the defacto complainant and his wife questioned the same, the accused persons abused them with filthy language and attempted to attack them with bottle and stones. Therefore, due to fear, they came inside the house. On 16.05.2025, they had discussed the same with their villagers and they suggested them to lodge a complaint. Thereafter, the defacto complainant and his wife had gone to Sarkarpalayam in their two wheeler and while coming back to their residence near Kallanai road, the petitioner intercepted them and threatened them with dire consequences and questioned them how they would lodge a complaint and further they pushed them down. Accused No.1 took a knife and



CRL OP(MD)No.9101 of 2025

threatened that he would stab him and all accused flood away from the place of occurrence. Hence, the complaint.

3. The petitioner who is arrayed as Accused No.5 filed this petition stating that he is a B.Com graduate alone from poor family and he was present in the place of occurrence only on the previous day and not on 16.05.2025. The co-accused has already been granted bail by the Additional Mahila Court, Trichy in Crl.M.P.Nos.12226 and 12247 of 2025, dated 21.05.2025 and assured that he will not tamper and hamper the prosecution witnesses and documents and also would not interfere the investigation. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the defacto complainant is a senior citizen and the petitioner has no previous case.

5. Considering the fact that there is no injury caused to the defacto complainant and also the fact that co-accused has already been granted with bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD)No.9101 of 2025

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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate, on further condition that:

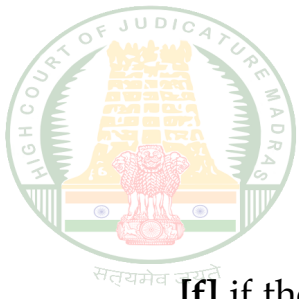
[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police for a period of 30 days and as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;



CRL OP(MD)No.9101 of 2025

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[f] if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
28/05/2025

/ TRUE COPY /

/06/2025

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GBG
TO

1 THE ADDITIONAL MAHILA JUDGE,
TRICHY.

2 THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-5800[I] dated 28/05/2025)

ORDER
IN

CRL OP(MD) No.9101 of 2025
Date :28/05/2025

SS/SAR- /03/06/2025/ 5P/5C

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