



CRL OP(MD) No.2486 of 2024

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

Monday, the Nineteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2486 of 2024

1 KATHIRESAN

2 K.JAMUNA

... PETITIONERS/

ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE  
KOVILPATTI WEST POLICE STATION,  
THOOTHUKUDI DISTRICT.  
CRIME NO.57 OF 2024.

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.P.VIJAYA RAGHAVAN Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.57 OF 2024 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for



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the alleged offence under Section 174 Cr.P.C @ Section 306 IPC, in Crime No.57 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that the deceased, namely, Arumugapandi, got loan from various persons, however, failed to repay the amount, for which, the lenders threatened him in filthy language and due to mental agony, he consumed poison and committed suicide. Hence this complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that there is no specific overt act against the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioners and the other lenders have threatened the deceased for not having repaid the loan amount and thereby, he committed suicide.

5. Considering the facts and circumstances of the case and the fact that the deceased committed suicide due to non-repayment of the loan and that there is no



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specific overt act against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;



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(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-  
19/02/2024

/ TRUE COPY /

/02/2024  
Sub-Assistant Registrar (CS- I / II / III / IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SSB

TO

1.THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI.



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3.THE INSPECTOR OF POLICE  
KOVILPATTI WEST POLICE STATION,  
THOOTHUKUDI DISTRICT.

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

+1 CC TO M/S.P.VIJAYARAGHAVAN, ADVOCATE ( SR-2062[I] DATED  
19/02/2024 )

ORDER  
IN  
CRL OP(MD) No.2486 of 2024  
Date :19/02/2024

RK/GS(22/02/2024) 5P / 6C  
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