



CRL OP(MD). No.17592 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17592 of 2024

1. Suruli,

2. Palthai,

3.Gowsalaya,

4. Rengaraj,

5.Vimaladevi,

... Petitioners/ Accused Nos.1 to 5

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Kombai Police Station,
Theni District,
Cr.No.148/2024..

... Respondent/ Complainant

For Petitioners : Mr.K.Dinesh, Advocate.

For Respondent : Mr.A.Albert James,

Government Advocate (Crl.Side)



CRL OP(MD). No.17592 of 2024

WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.148 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 351(2) of BNS r/w Section 4 of TNPWH Act and Section 4 of Exorbitant Interest Act, 2004 in Crime No.148 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 02.07.2024, when the defacto complainant approached the petitioners asking them to return her original documents, which was surrendered by her as security for a hand loan, the petitioners did not return her documents even she repaid the hand loan amount and they abused the defacto complainant in filthy language and assaulted her. Hence, the complaint.

3. Heard. Perused the materials available on record including the First Information Report.



CRL OP(MD). No.17592 of 2024

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4. Considering the nature of allegations that the petitioners being the lenders had lent the loan on the defacto complainant and the defacto complainant states that she had repaid the entire loan amount, however, the documents were not released by the petitioners and considering the arguments made by the learned counsel appearing for the petitioners that a civil suit is pending with reference to the same subject matter, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

5. Accordingly, the petitioners 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 on which the order copy made ready, before the learned Judicial Magistrate, Bodinayakkanur, Theni District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (common surety) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb

Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



CRL OP(MD). No.17592 of 2024

card or Bank Pass Book to ensure their identity.

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[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(C) the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/10/2024

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/11/2024

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

TSG



CRL OP(MD). No.17592 of 2024

TO

1.THE JUDICIAL MAGISTRATE, BODINAYAKKANUR, THENI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3.THE INSPECTOR OF POLICE,
KOMBAI POLICE STATION,
THENI DISTRICT,

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

+1 CC to M/s.K.DINESH, Advocate (SR-12705[I] dated 18/10/2024)

ORDER

IN

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Date :17/10/2024

RK/VR (19/11/2024) 5P / 6C

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