



CRL OP(MD). No.20145 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20145 of 2024

1. Puviarasu. V,
(Name Was Wrongly
Mentioned in the Fir).

2. Thirupathi,,

... Petitioners/ Accused Nos.1 & 2

Vs

State of Tamil Nadu Rep. By,
Inspector of Police,
Pavoorchathiram Police Station,
Tenkasi District.
Crime No. 395 of 2024.

... Respondent/Complainant

For Petitioners : Mr.Ananth C Rajesh, Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

To enlarge the Petitioner on bail in the event of their arrest by the Respondent police in Crime No. 395 of 2024 dated 08.11.2024 or on his appearance before the court and thus render justice.



CRL OP(MD). No.20145 of 2024

ORDER: The Court made the following order :-

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The petitioners /accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offences under section 108 of BNS in Crime No.395 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant had taken loan and since the same was not repaid back, steps were taken by the Company to recover the loan. The petitioners are said to be working in the Shriram Finance, Tenkasi Branch. They have threatened the deceased that the house will be brought for sale. The deceased on hearing this seems to have committed suicide.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. In the instant case, it is seen that the defacto complainant had availed financial assistance from the Shriram Finance. Since the same was not repaid back, arbitration proceedings were initiated and award was passed in the year 2013. The award amount was not paid and therefore, the vehicle was seized from the deceased and it was brought in auction sale. Even after that, there were some more amount that was due and payable for which steps were taken. In this regard, the petitioners, who are working in the Company, seems to have gone to the house of the defacto complainant and informed the defacto complainant about the steps taken. The wife



CRL OP(MD). No.20145 of 2024

of the defacto complainant thereafter had committed suicide.

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5. Taking into consideration the facts and circumstances of the case and the manner in which the incident had taken place, there is no need for custodial interrogation in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory 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, Tenkasi, 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 said Magistrate, on further condition that:

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

[b] the petitioners shall report before the respondent police every Friday at 05.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation;

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



CRL OP(MD). No.20145 of 2024

WEB COPY

[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 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;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/11/2024

/ TRUE COPY /

/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PAVOORCHATHIRAM POLICE STATION, TENKASI DISTRICT.



CRL OP(MD). No.20145 of 2024

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

+1. CC to ANANTH C RAJESH Advocate SR.No.14278(I) dated 20/11/2024

ORDER
IN
CRL OP(MD) No.20145 of 2024
Date :20/11/2024

PSP/ GSV /SAR /21.11.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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