



CRL OP(MD). No.22530 of 2024

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

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Thenu @ Thenappan

... Petitioner / Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Karaikudi South Police Station
Sivagangai District.
(Crime No.204 of 2024)

... Respondent/Complainant

For Petitioner : Ms.P.Krishnaveni, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 204 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 329(4),



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127(1), 296(b), 115(2), 118(1), 308(7), 351(3) of BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 1988 of IPC, altered to Sections 191(2), 191(3), 329(4), 127(1), 296(b), 115(2), 118(1), 308(7), 351(3), 61(2), 49 of BNS and Section 4 of TNPWH Act in Crime No.204 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and Dr.Kumaresan are friends. The defacto complainant is running a hospital in which one Swetha was working as a receptionist. The defacto complainant came to know that his brother has swindled some money from the hospital with the aid of some of the employees. Since the petitioner is the friend of the defacto complainant, he also discussed about this issue with him. The petitioner had informed the defacto complainant that the said Swetha is having some documents and audio records with reference to the said misappropriation committed by the employees. Accordingly, the defacto complainant was invited to a guest house at Ariyakudi. Believing the same, the defacto complainant went to that place and asked for those documents and audio records from the petitioner. At that time, on the instigation of the petitioner, unknown persons trespassed into the property and attacked the defacto complainant and abused him with filthy language. Subsequently, they also tied the hands of the defacto complainant and snapped a photo of the defacto complainant



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along with Swetha. Thereafter, they demanded a sum of Rs.1 crore, failing which, they will upload the said photos in social media. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and also considering the earlier order passed by this Court in Crl.O.P.(MD) No.19782 of 2024 dated 22.11.2024 where A1 was granted anticipatory by this Court, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Karaikudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 card or Bank Pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent police 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].

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

sd/-
19/12/2024

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/01/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN



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To

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1.The Judicial Magistrate,
Karaikudi.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.P.KRISHNAVENI, Advocate, SR No.15663(I), dated 19.12.2024

ORDER

IN

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Date :19/12/2024

ED/ SKN /SAR- (06/01/2025) 5P / 6C

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