



CRL OP(MD). No.22987 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Bala @ Balakumaran

... Petitioners/ Accused No.5

Vs

The Inspector of Police,  
Uppiliyapuram Police Station,  
Trichy District.  
Crime No.270 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Balamurugan.M, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.270 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 294(b), 420, 506(i) of I.P.C., in Crime No. 270 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the defacto

<https://www.mhc.trngov.in/judis>



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complainant and the accused are relatives. The first accused working in FSMS financial limited company and helped the defacto complainant to avail jewel loan in this company. Thereafter, the first accused could not redeem the defacto complainant's jewels. Due to the same, there was some quarrel between the parties. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prayed this Court to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor(Cri.Side) appearing for the respondent would submit that the the petitioner is working in the financial company and helped to avail loan the defacto complainant. Thereafter, the loan was not repaid and the jewels were not redeemed., hence, there was a quarrel between the petitioner and the defacto complainant. He would fairly concede that no previous cases are pending as against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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

6.Considering the rival submissions on either side, taking into consideration of



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the facts and circumstances of the case and also the fact that the petitioner is only an employee in the company, in which the defacto complainant pledged the jewels and considering the fact that no previous cases are pending against the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

7. 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, Thuraiyur, 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.

[b] the petitioner shall report before the respondent Police, on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.



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[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 229A IPC.

sd/-  
27/12/2024

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

TO

1 THE JUDICIAL MAGISTRATE, THURAIYUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, UPPILIYAPURAM POLICE STATION,  
TRICHY DISTRICT.

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

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ORDER

IN

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Date :27/12/2024

RS/SKN/SAR-(02.01.2025) 5P 5C

Madurai Bench of Madras High Court is issuing  
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