



CRL OP(MD). No.23113 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.23113 of 2024

1. Rajapandi,  
S/o. Periyasamy,  
Suriyanarayanapuram,  
Uthamapalayam,  
Theni District.

2. Raja,  
S/o.. Rajapandi,  
Suriyanarayanapuram,  
Uthamapalayam,  
Theni District.

3. Prasath @ Thilprasath,  
S/o. Seenidurai,  
163/5,Kaliamman Koil  
Street Royappanpatti Uthamapalayam,  
Theni District.

... Petitioners/Accused No.1 to 3

Vs

The State of Tamilnadu,  
Rep. by the Inspector of Police,  
Uthamapalayam Police Station,  
Theni District.  
Crime No. 322/2024..

... Respondent/Complainant



CRL OP(MD). No.23113 of 2024

For Petitioner : Mr.R.Venkatesan,  
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 322 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused 1 to 3, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2), 296(b), 126(2), 127(2), 351(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the money dispute, the petitioners threatened the defacto complainant with dire consequences and demanded exorbitant interest. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are



CRL OP(MD). No.23113 of 2024

innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. However he opposed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) fairly submits that there is money dispute between the parties and the petitioners demanded exorbitant interest and threatened the defacto complainant and no previous case is pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, the fact that there is money dispute between the parties and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute bonds 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 Judicial Magistrate, Uthamapalayam, and on further conditions that:



CRL OP(MD). No.23113 of 2024

WEB COPY

[b] the petitioners shall report before the respondent police every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

sd/-  
27/12/2024

/ TRUE COPY /

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



CRL OP(MD). No.23113 of 2024

SM  
WEB COPY

TO

1 THE JUDICIAL MAGISTRATE  
UTHAMAPALAYAM.

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

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

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

+1. CC to Mr.R.VENKATESAN Advocate SR.No.15951(I) DATED 31/12/2024

ORDER  
IN

CRL OP(MD) No.23113 of 2024

Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023