



CRL OP NO. 1870 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1870 of 2025

ESENTHIRAN

S/o.Andi, No.22/19, Mookkareddipatti Village, A-Pallipatti,
Dharmapuri.

Petitioner(s)

Vs

State Rep.By, Sub Inspector Of Police,
Pappireddipatti Police Station, Dharmapuri District.

Respondent(s)

For Petitioner(s):

E Kannadasan
R. Thulasi
S. Priyadarshini
M.Sathishkumar
A.Ajay

For Respondent(s):

S.Santhosh
Government Advocate (criminal Side),madras High Court.

ORDER

Apprehending arrest in connection with Crime No.222 of 2024 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 140(2) of BNS, later altered into 191(2), 126(2), 115(2), 140(2), 308(2), 308 of BNS 2023, the present petition has been filed seeking anticipatory bail.



2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the defacto

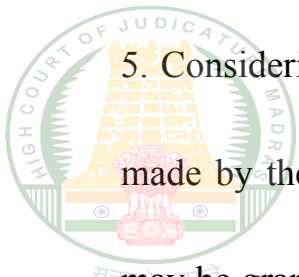
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complainant, who was running a matriculation School in the name of Himalayan Matriculation Higher Secondary School, had approached the mother of the first petitioner in the guise of leasing out the said school and received a sum of Rs.15 lakhs from her and cheated her, thereby, a complaint was also lodged against the defacto complainant in Crime No.114 of 2024 for the offence under Section 318(4) of BNS on the file of the A.Pallipatti Police Station. Whereas, now, in order to evade re-payment of the said amount, the defacto complainant had lodged a false complaint against the petitioner. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that due to the dispute with regard to management of the School, the accused had abducted the defacto complainant and tortured him. He further submits that the case is under investigation

4. Heard the learned counsel for the petitioner and the learned Government Advocate

(Crl side) for the respondent and perused the materials available on record.

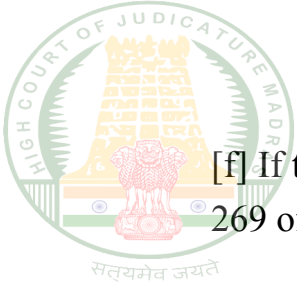


5. Considering the facts and circumstances of the case and also considering the reasons made by the learned counsel for the petitioner, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail in the event

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of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Pappireddipatti, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 said Magistrate, on further condition that:

- [a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;
- [b] the petitioner shall report before the respondent Police everyday at 06.30 p.m., until further orders.
- [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];



A.D.JAGADISH CHAND



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

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To

1. State Rep.By, Sub Inspector Of Police,
Pappireddipatti Police Station,
Dharmapruai District.

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