



Crl.OP.No.2080 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2080 of 2025

Dheenadayalan.M

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
Ambur Taluk P.S,
Thirupathur District
(Crime No.16 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail on event of arrest in Crime No.16 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Vinothkumar

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under section 108 of BNS, 2023 and Section 4 Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.16 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had given a loan to



the deceased and had insisted on the payment of interest from the deceased; that in order to repay the amount, the deceased obtained a loan from A2 and A3 who charged exorbitant interest and therefore, A4 allegedly grabbed property belonging to the deceased and did not pay adequate sale consideration; and that the deceased got depressed and committed suicide. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner has nothing to do with the case or the harassment caused by the other accused to the deceased; that even if the allegations in the FIR have accepted to be true, the petitioner only demanded the interest that was due to him; that he did not demand exorbitant from the deceased; and that in any case, the custodial interrogation is not required for the purpose of investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted the petitioner name was mentioned in the suicide note of the deceased. Hence, he opposed for granting anticipatory bail to the petitioner.



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5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. On perusal of the suicide note and FIR, it is noticed that the only allegation against the petitioner is that the petitioner had insisted on the repayment of the loan amount given to the deceased; and it appears that the deceased was harassed by A2 and A3, who have been arrested and are now in custody. Considering the nature of allegation against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation, and 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 (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate, Ambur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two



sureties 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] 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, everyday at 10.30 a.m., until further orders;
- [c] the petitioner shall not abscond either during investigation or trial;
- [d] the petitioner shall not tamper with evidence or witness 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



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by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala*** reported in [(2005)AIR SCW 5560];

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

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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SUNDER MOHAN, J.

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To

1.The Inspector of Police,

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Ambur Taluk P.S,
Thirupathur District

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2. The Public Prosecutor,
Madras High Court,
Chennai.
3. The Judicial Magistrate, Ambur.

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