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CRL O.P. No.2393 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2393 of 2025

Honastraj S/o. Murugan

... Petitioner / Accused-2

Vs

State rep. by:-

The Inspector Of Police,
Tirupathur Town Police Station,
Tirupathur District.
[Cr. No.23 of 2025]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

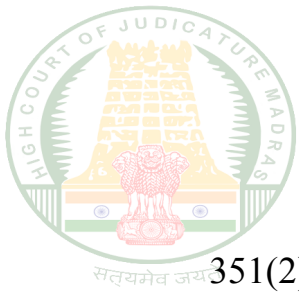
Crime No.23 of 2025 on the file of the respondent police.

For Petitioner : Mr. R. Parthiban

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused-2, who apprehends arrest in the hands of
the respondent police for the offences punishable under Sections 74, and



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351(2) of B.N.S. read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in connection with the case in Crime No.23 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had purchased a two wheeler on EMI basis; that she did not repay the EMIs and hence the petitioner along with other accused went to the house of the defacto complainant and demanded the repayment of EMI; that the petitioner is working as Collection Agent, seeking repayment of the dues and also the accused had taken away the scooter, which was purchased out of loan amount.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that the allegations against the petitioner are false; that he has been implicated in this case for the purpose of denying the amount borrowed by the defacto complainant; that in any case, custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side), on instructions, would submit that based on the complaint given by the defacto complainant, this case was registered and it is confirmed by the learned Government Advocate that there is no previous case pending against the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, that there is no previous case against the petitioner and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Tirupathur** on condition that the petitioner shall



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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 conditions that:

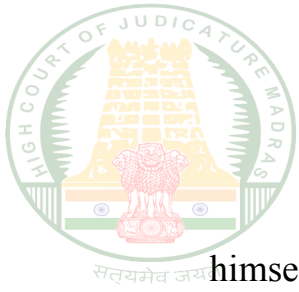
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.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



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

04.02.2025

mjs

To

- 1.The Judicial Magistrate-I, Tirupathur.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police,Tirupathur Town Police Station, Tirupathur District.

SUNDER MOHAN. J.,

mjs

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