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Crl.O.P.No.4877 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.4877 of 2025

1. Yashwanth Prabhu
2. Ramesh
3. Madhan

Petitioner(s)

Vs

The State Rep.By Its, The Inspector Of Police
Mangalam Police Station, Tiruppur District.
(Crime No. 95 of 2025)

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.95 of 2025, on the file of the respondent police.

For Petitioner(s) : M/s. Guruprasad

For Respondent(s) : Mr. Leonard Arul Joseph Selvam,
Government Advocate (Crl. Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 137(2) and 142 of BNS in Crime No.95 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Varadharajan is a partner of a firm called Krishnaa Fibers; that on account of the dispute between the partners, the petitioners, who are relatives of the other partners of the said firm had taken the truck bearing Registration No.TN-42-AB-3600 belonging to the defacto complainant; that while the same was questioned, the petitioners threatened the defacto complainant with dire consequences. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case; that the second petitioner herein is the father-in-law of the defacto complainant; that he had given money to the defacto complainant



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and other petitioners for running the business; that due to a dispute between the partners, a false complaint has been lodged by the defacto complainant; that the co-accused were granted anticipatory bail by this Court vide order dated 19.02.2025 in Crl.O.P.No.4260 of 2025; that the said truck does not belong to the defacto complainant and in any case custodial interrogation of the petitioners is not required and prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and confirmed the fact that the petitioners and the defacto complainant are closely related to each other and the co-accused were granted anticipatory bail.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the submissions made on either side; considering the nature of allegation, the fact that the parties are closely related to each other, the co-accused were granted anticipatory bail, the vehicle was



recovered and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are 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 No.4, Tiruppur** on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police everyday at 10:30 a.m., until further



Crl.O.P.No.4877 of 2025

orders.

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

[d] the petitioners 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 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].

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

24.02.2025

stn

To

1. The State Rep.By Its, The Inspector Of Police
Mangalam Police Station,
Tiruppur District.



(Crime No. 95 of 2025)

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Crl.O.P.No.4877 of 2025

SUNDER MOHAN, J.

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Crl.O.P. No.4877 of 2025

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