



Crl.O.P.No.14392 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **08.05.2025**

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL.O.P.No.14392 of 2025

1.P.Stalin

2.P.Kavaskar

... Petitioners

Versus

The State rep by,
The Inspector of Police,
Vaazhapadi Police Station,
Salem.

(Crime No.152 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police pending investigation in Crime No.152 of 2025 on the file of the respondent police.

For Petitioner : Ms.A.S.Neela Narayani

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 108 of the



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Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.152 of 2025, on the
file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband had availed loan from M/s.Equitas Small Finance Bank for a sum of Rs.5,00,000/- and failed to repay the loan on installments. Therefore, the petitioner along with other accused persons went to the house of the defacto complainant and asked her husband to repay the monthly installments and threatened him with dire consequence. Due to which, the husband of the defacto complainant committed suicide. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. On instructions, she would submit that despite the outstanding balance of Rs.1,97,000/-, which has to be paid by the deceased, the petitioners are prepared to waive the said amount and have also prepared to handover the title documents to the surviving legal heirs of the deceased. Hence, she seeks anticipatory bail for the petitioners.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the defacto complainant's husband had availed loan from M/s.Equitas Small Finance Bank for a sum of Rs.5,00,000/- and failed to repay the loan on installments. Therefore, the petitioner along with other accused persons went to the house of the defacto complainant and asked her husband to repay the monthly installments and threatened him with dire consequence. Due to which, the husband of the defacto complainant committed suicide. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and also considering the undertaking made by the learned counsel for the petitioner that they are waiving the outstanding balance amount, which has to be paid by the deceased, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a



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period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Vazhapadi, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with the 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



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petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on anticipatory 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

08.05.2025

Anu

Note:- 1. Registry is directed to forthwith upload this order in the official website of this Court.

2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



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L.VICTORIA GOWRI, J.

Anu

To

1.The Inspector of Police,
Vaazhapadi Police Station,
Salem.

2. The District Munsif Cum Judicial Magistrate, Vazhapadi

3.The Public Prosecutor,
High Court, Madras.

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