



CRL OP NO. 14607



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP NO. 14607 of 2025

1.Periaswamy
2.Jothimani
3.Madhu Vishnu Girivel

Petitioner(s)

Vs

State rep. by

The Inspector of Police,
Pollachi West Police Station, Pollachi, Coimbatore District.

(Crime No.589 of 2024)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.589 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr.M.N.Balakrishnan

For Respondent(s):

Mr.R.Vinothraja
Government Advocate (Criminal side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 194 of B.N.S.S. altered into under Section 108 of B.N.S. 2023, (174 Cr.P.C. altered into 306 of I.P.C) in Crime No.589 of 2024, seek



anticipatory bail.



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2.The case of the prosecution is that the petitioners are landlord and the deceased was the tenant. The tenant committed default in payment of rent. The petitioners went to her office and asked about the money. After one month the deceased also vacated the premises and committed suicide. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they had been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor reiterated the prosecution case and vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the above fact and circumstances of the case and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is

made ready, before the learned **Judicial Magistrate No.II, Pollachi**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 third petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks; thereafter, as and when required for interrogation; the first and second petitioner shall appear before the respondent Police as and when required for interrogation;

[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 absconds, a fresh FIR can be registered under Section 154(1) of the Criminal Procedure Code, 1973 (Cr.P.C.).



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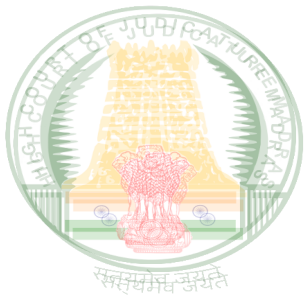
To

1. State rep. by The Inspector of Police,
Pollachi West Police Station,
Pollachi,
Coimbatore District.
(Crime No.589 of 2024)

2. Judicial Magistrate No.II,
Pollachi.

G.K.ILANTHIRAIYAN, J.

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