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Crl.O.P.No.14716 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2025

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.14716 of 2025

S.Kamalanadhan

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
(Law and Order)
Pochampalli Police Station,
Pochampalli Taluk,
Krishnagiri District.

.... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in the event of his arrest by the respondent police in Cr.No.138 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Prabhu

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence under Section 108 of of BNS Act, 2023 in connection with Crime No.138 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that deceased one

S.Marakadhavel has made a suicide note stating that he has borrowed loans from the petitioner and also from one Jayaganth and received threats from the petitioner and therefore he has committed suicide.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and false complaint has been lodged against him. He further submitted that the deceased appears to have under severe mental and financial stress, which could have led to the extreme step of suicide. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the deceased has made a suicide note and committed suicide. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain



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conditions.

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[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., for a period of one month and thereafter, as and when required for further interrogation;

[c] the petitioner shall not abscond either during investigation or trial;



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[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 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.

09.05.2025

Vv

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 the official website of this Court will be watermarked and will also have a QR code.



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To
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1. The District Munsif-Cum-Judicial Magistrate, Pochampalli
2. The The Inspector of Police,
(Law and Order)
Pochampalli Police Station,
Pochampalli Taluk,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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L.VICTORIA GOWRI, J.

Vv

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