



CRL.OP.No.15461 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15461 of 2025

Sivalingam

... Petitioner

-VS-

The State Represented by,
The Inspector of Police,
Kanakammachatram Police Station,
Tiruvallur.
(Crime No.85 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in
the event of their arrest in Crime No.85 of 2025 pending investigation on the
file of the respondent.

For Petitioner : Mr.D.Vijay

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the alleged offences under Sections 121(2), 296(b) and 351(3) of
BNSS r/w Section 4 of TNPWH Act, in Crime No.85 of 2025, seeks



anticipatory bail.

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2. The case of the prosecution is that the defacto complainant has borrowed a huge sum of money from A1. Even after repaying the said amount, the petitioner is harassing the defacto complainant by demanding more money. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that there are totally two accused. The defacto complainant borrowed money from A1 for interest and he also repaid the same. But still the petitioner is demanding more money from the defacto complainant and harassing him and this is a case in counter. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the



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event of arrest or on his appearance before the *learned Judicial Magistrate, Tiruttani*, on condition that the petitioner shall 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) if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or



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witness either during investigation or trial;

WEB COPY (e) the petitioner shall make himself available for interrogation by a Police office as and when required;

(f) the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(g) the petitioner shall not abscond either during investigation or trial;

(h) 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

(i) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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gv/jai

Note:



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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.”

To

- 1.The learned Judicial Magistrate, Tiruttani.
- 2.The Inspector of Police,
Kanakammachatram Police Station,
Tiruvallur.
- 3.The Public Prosecutor,
High Court, Madras.



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gv/jai

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