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CrI.O.P.No.16737 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16737 of 2025

S.Gopinath

... Petitioner/Accused

Vs

State Rep by

The Inspector of Police,

Tirupattur Taluk Police Station,

Tirupattur District.

(Crime No.223 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in the event of his arrest in Crime No.223 of 2025 pending investigation on the file of the respondent police.

For petitioner : Ms.S.Priyadarshini

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

For Intervenor : Mr.M.Ganesh
For Mr.N.Manoharan



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 (Section 379 of IPC) in Crime No.223 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.This Court, on 13.06.2025, had passed the following order:

“The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303 (2) of BNS, 2023, (under Section 379 of IPC) in Crime No.223 of 2025, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that there is a dispute between the petitioner and the defacto complainant who is none other than the sister-in-law of the petitioner. There is a dispute between the petitioner and his brother, which has been now magnified and projected as though the petitioner entered into the house of his brother and taken away the sewing machine and cash of Rs.10,000/-. The defacto complainant is a tailoring professional and makes money through her profession. Due to the above act of the petitioner, she is not able to earn money for her daily needs.



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3. The learned Government Advocate (Crl.Side)

submits that the petitioner is ready to hand over the sewing machine, but the defacto complainant is refusing to receive the same.

4. Mr.M.Ganesh, the learned counsel appearing for the

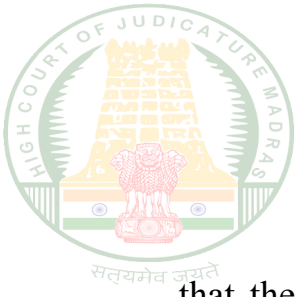
defacto complainant submitted that the defacto complainant received the sewing machine along with the cash of Rs.10,000/-. In such event, the defacto complainant shall withdraw the complaint against the petitioner.

5. Post the matter on 30.06.2025. Till such time, no

coercive action to be taken against the petitioner.”

3.In continuation to the earlier order passed by this Court on 13.06.2025, the learned counsel for petitioner submitted that the sewing machine and cash of Rs.10,000/- for the damages had been handed over to the de-facto complainant and the de-facto complainant also received the same.

4.Mr.M.Ganesh, the learned counsel for de-facto complainant confirms the receipt of sewing machine and cash. Further on instructions he submits



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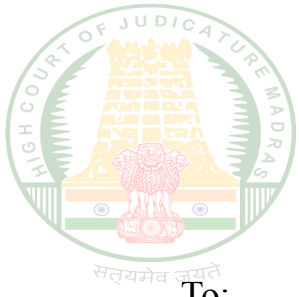
that the de-facto complainant is not interest to further pursue the case and willing to withdraw the complaint.

5.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner and de-facto complainant are brothers and the de-facto complainant is willing to withdraw the complaint and no useful purpose would be served and the police would be advised accordingly and Crime No.223 of 2025 against the petitioner would be closed.

6.Recording the same, the Criminal Original Petition is disposed of.

30.06.2025

rsi



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To:
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1. The Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur District.
- 2.The Judicial Magistrate No.I,
Tirupattur.
- 3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

rsi

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