



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.07.2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.18283 of 2025

Dhanasekaran @ Ennore Dhanasekar

Petitioner

Vs

State by
The Inspector of Police,
E-3, Minjur Police Station,
Chennai.

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Bail in the event of
his arrest in Crime No. 386 of 2025 pending before the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section **309 (4), 311, 296 (b), 351 (3)**



of BNS in Crime No.386 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto-complainant is running a small scrap business near Minjur, Vazhuthigaimedu Tollgate. On 07.06.2025, an unknown person came on a two-wheeler introduced himself as Mathi alias Mathivanan and demanded mamool for a sum of Rs.50,000/- as protection money from the defacto-complainant. When the defacto-complainant refused to pay, he threatened him with knife placing it on the defacto-complainant's throat to speak to the petitioner through phone. The petitioner threatened the defacto-complainant to comply with Mathi's demand else he will kill him and his family. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner was in prison for more than 3 1/2 years and recently on 15.04.2025 he was acquitted. No doubt, the petitioner has some



previous criminal cases. But, after coming out from the prison, the petitioner hopes that he will return back to peaceful and normal life and will not indulge in any criminal activities. He further submitted that the respondent Police had called the petitioner and informed him not to enter into the city otherwise cases would be foisted against him. The present case is a classic example and the Police has foisted a false case to keep the petitioner away despite the petitioner wanted to change himself and lead a normal life. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that petitioner has got 65 cases to his credit. No doubt in some cases petitioner has acquitted and most of the cases are pending for trial. Petitioner to his credit has got eleven 302 cases, fifteen 307 cases. A person having such a history would not be deterred by any caution given. Even in the present complaint, it is very clear that the petitioner had called the defacto-complainant over phone and threatened to give protection money otherwise he would be done away. Petitioner's history



would send shivers down the spines of the innocent public. Hence, custodial interrogation of the petitioner is necessary to find out the petitioner's action.

Hence, opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.1, Ponneri**, 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



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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] 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 Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the learned Judicial Magistrate I, Dharmapuri daily at 10.30 a.m. until further orders;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during



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investigation or trial;

[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] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

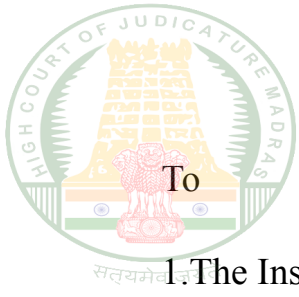
Neutral Citation: Yes/No



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To

- 1.The Inspector of Police,
E-3, Minjur Police Station,
Chennai.
- 2.The Judicial Magistrate 1,
Ponneri.
- 3.The Judicial Magistrate 1
Dharmapuri.
- 4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.

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