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CRL OP No. 25556 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

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THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL OP No. 25556 of 2024

Gayathri

Petitioner(s)

Vs

State Of Tamil Nadu
Represented By
Inspector Of Police,
City Crime Branch,
Salem.
(Crime No.24/2024)

Respondent(s)

PRAYER :- Criminal Original Petition filed under Sec.482 of B.N.S.S., praying to enlarge the Petitioner on bail in the event of arrest pending investigation in Crime No.24 of 2024 on the file of the Respondent police.

For Petitioner(s): Mr. N.S.Sivakumar

For Respondent(s): Mr.S.Vinothkumar
Govt. Advocate (Crl. Side)
Mr.P.Thamizh Kumaran for
Intervenor



ORDER

The petitioner, who apprehends arrest in the hands of respondent police for the alleged offence under Section 120B, 420 and 506(2) of I.P.C. in Crime No.24 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. Today, when the matter taken up for hearing, both the learned counsel for petitioner, learned Government Advocate and learned counsel for intervenor appeared and heard their submissions.

3. As per the submissions of learned counsel for petitioner, the petitioner, her husband/A1 and defacto complainant have appeared before the Mediator as per the directions of this court at Salem. After deliberation, the mediation was failed. However, as per the condition imposed by this court, she had deposited a sum of Rs.20,00,000/- into the credit of Crime No. 24 of 2024 before the concerned Magistrate.

4. As per the F.I.R. allegations, the defacto complainant was known to one Thiagarajan, through whom, one Muralidharan was introduced to him and the said Muralidharan was running a M/s.S.S.Finance and Chit Company, in that, he became a subscriber and after his demise, his son/A1 continued the said finance business and running the chit. Thereafter, he evaded to pay the chit amount to the subscribers and also threatened them. Hence, the F.I.R. was



Thiyagarajan was involved in entire affairs and at the time of mediation, he along with some henchmen came to mediation centre and insisted to meet Mediator, who is District Judge of Salem. Though his name was mentioned by the defacto complainant in the F.I.R., the prosecution had not taken any steps to investigate about his involvement. In fact, the said Thiyagarajan was running entire chit and finance and the father of A1, Muralidharan was only assisted him as per the submissions of accused before the Mediator.

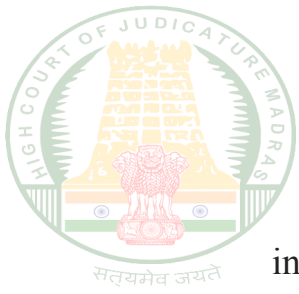
5. Mediation report is perused, wherein, there is an observation made on the side of Judge/Mediator that when the complaint given by the accused, who was harassed by Thiyagarajan and others, the police has not taken the case on file, which shows that the said Thiyagarajan is politically influenced person of the said locality. Therefore, the respondent police is directed to investigate about the involvement of Thiyagarajan in respect of M/s.S.S.Finance and Chit Company and also submit a status report before the concerned Magistrate.

6. On considering the fact that as per the condition imposed by this court, the petitioner had complied the same, the interim anticipatory bail granted to the petitioner by this court vide order dated 14.11.2024 is made absolute with certain conditions that

**(a) the petitioner shall report before the respondent police
as and when required;**

(b) the petitioner shall not commit any offences of similar

nature;



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

(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 Judicial 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 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

To

1. The Judicial Magistrate-III, Salem.
2. The Inspector of Police, City Crime Branch, Salem.
3. The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI J.

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