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Crl.OP.No.25143 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.25143 of 2025

and

Crl.M.P.No.17955 of 2025

1.A.Kalimuthu
2.V.Dhayanithi

... Petitioners

Vs.

State Rep by
The Inspector of Police,
Udumalpet Police Station
Tiruppur District.
(Crime No.548 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the
event of their arrest in Crime No.548 of 2025 on the file of the respondent
police.

For Petitioners	: Mr.K.Prabhakaran
For Respondent	: Mr.S.Udayakumar Government Advocate (Crl. Side)
For Intervenor	: Mr.M.Santhosh



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **318(4) of BNS, 2023**, in **Crime No.548 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners herein received a sum of Rs.6 lakhs as a hand loan and failed to repay the same. Hence, the case.

3. The learned counsel for the petitioners submitted that it is only a money transaction and there is no criminality involved in this case and the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned counsel for the intervenor submitted that by promising to return the interest the petitioner borrowed money and failed to repay the interest and principal.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case. Hence, he opposed for grant of anticipatory bail to the petitioners.

6. Considering the nature of the allegation and the manner in which, the allegations levelled against the petitioners in receiving loan and default, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.I, Udumalaipettai, Tiruppur District**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only) with two sureties** each for a



like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, 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 petitioners shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation;

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



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

8. Consequently, connected Miscellaneous Petition is also ordered.

23.09.2025

dna

To

1.The Judicial Magistrate Court No.I,
Udumalaipettai, Tiruppur District.

2.The Inspector of Police,
Udumalpet Police Station
Tiruppur District.
(Crime No.548 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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