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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29583 of 2025

1. Sai Vaishnavi
2. M.Prasad
3. M.Sudharshan

... Petitioners

Vs.

The State rep. by
The Inspector of Police,
C3 Saibaba Colony Police Station,
Coimbatore – 641011.
(Crime No.201 of 2024)

... 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 arrest in connection with Crime No.201 of 2024 on the file of the respondent police.

For Petitioners : Mr.K.Thilageswaran
For Respondent : Mr.Udayakumar,
Government Advocate (Crl. Side).

ORDER

The petitioners, who were apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of IPC in Crime No.201 of 2024, on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioners, being the Directors of the Company, requested that defacto complainant, who was an employee of the company, to arrange some loans, as the Company was facing recession. Based on the same, the defacto complainant arranged a loan to the tune of Rs.23,20,000/-. It is the further case of the prosecution that salary due to the defacto complainant, to the tune of Rs.12,00,000/-, was also payable. Totally, the petitioners had to pay a sum of Rs.35,20,000/- to the defacto complainant. When the said sum was demanded, the petitioners threatened the defacto complainant with dire consequences. Hence the case.

3. The learned counsel for the petitioner would submit that a civil proceeding in O.S.No.353 of 2023, on the file of the learned District Munsif, Coimbatore, is pending regarding the money transactions. Hence, the present case is a counter blast. Therefore, he prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the investigation has not been



completed. Hence, he opposed for grant of bail to the petitioners.

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5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of the allegation and also the fact there are civil proceedings initiated between the parties, 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 No.VII, Coimbatore** on condition that the petitioners shall execute a 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:

(a) If the petitioners fail 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;



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[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 am 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]**;

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

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To

1. The Inspector of Police,
C3 Saibaba Colony Police Station,
Coimbatore – 641011.

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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