



CRL OP(MD). No.164 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Karnamaharaja

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.476 of 2024)

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasampandian, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 476 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



for the alleged offences under Sections 316(2), 318(4) and 351(3) of BNS, in Crime No.476 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is carrying on with the business of selling old cars. In the year 2020, the petitioner entered into a sale agreement with the defacto complainant and purchased two cars. The petitioner was supposed to pay the entire consideration in installments. It is alleged that the petitioner had paid only 5 installments out of 17 installments and the balance amount was not paid. When the defacto complainant attempted to contact the petitioner over phone, the petitioner was evading payment. Later, the petitioner gave a cheque which was also dishonoured. On 11.12.2024 when the defacto complainant went to the house of the petitioner to ask for the money that is payable by the petitioner, the petitioner is said to have abused and threatened with dire consequences.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the transactions between the petitioner and the defacto complainant wherein the petitioner had only made part payment and did not repay back the balance amount and also considering the fact that there are 3 previous cases against



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the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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5. 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, Melur, 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 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] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
23/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

1.The Judicial Magistrate,
Melur.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Othakadai Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-782[I] dated 24/01/2025)

ORDER
IN
CRL OP(MD) No.164 of 2025
Date :23/01/2025

ED/ SKN /SAR- (10/02/2025) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023