



CRL OP(MD). No.173 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Siva

... Petitioner / Accused No.5

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

(Crime No.390 of 2024)

... Respondent/Complainant

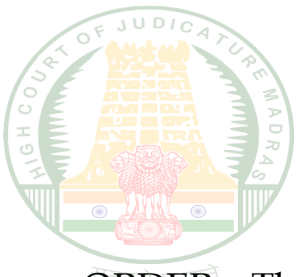
For Petitioner : Mr.K.Palmurugan,
Advocate

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. 390 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 126(2), 296(b), 140, 191(2), 191(3), 311, 61(2) and 109 of BNS, in Crime No.390 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was managing the properties belonging to one Ajay Chopra. He seems to have entered into an agreement with A1. In that transaction, an advance amount was paid to the said Ajay Chopra and a sum of Rs.5 lakhs is said to have been paid to the defacto complainant. On 21.11.2024, the defacto complainant is said to have been kidnapped by the accused persons and he was threatened with dire consequences and he was made to forcibly transfer a sum of Rs.1 lakh through Gpay and his signatures were also obtained in an agreement. There are totally 6 accused persons in this case and the petitioner has been arrayed as A5.

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



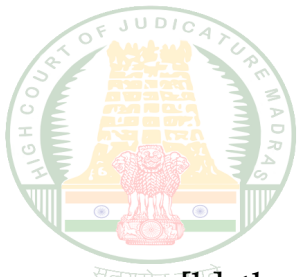
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4. Taking into consideration the facts and circumstances of the case and considering the fact that all the other accused persons were arrested and later released on bail and taking note of the fact that there are two previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, Bodinayakkanur, 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.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[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 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/-
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Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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1. THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.
3. THE INSPECTOR OF POLICE,
BODINAYAKKANUR TOWN POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.PALMURUGAN, Advocate (SR-160[I] dated 07/01/2025)

ORDER
IN
CRL OP(MD) No.173 of 2025
Date :07/01/2025

RK/SKN(22/01/2025) 5P / 6C

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