



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP(MD). No.705 of 2025

Chidhambaram @ Kutty,
S/o. Srinivasan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Crime No. 955/2024.

... Respondent/Complainant

For Petitioner : Mr.Kathirvelusre
for Mr.K.Prabhu, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-31AB. For Anticipatory Bail in Crime No. 955 of 2024 on the file of the
Respondent police.



WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 126(2), 131, 308(5), 140(3) and 351(3) of BNS, 2023, in Crime No.955 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the De facto Complainant and his friend of Ramanaguru are worked together in a company. At the request of Ramanaguru, the Defacto-complainant to recover salary due from KKG Finance Company, decided to engage the accused No.2. When the second accused went to threaten the employer of the said Ramanaguru to pay the arrear salary, a case has been registered against him and hence the second accused demanded money to look after the criminal case and the said Ramanaguru gave a sum of Rs.1,50,000/-. Thereafter, the second accused demanded additional money from the defacto complainant and his friend and hence both of them met the present petitioner and requested the petitioner to seek additional time for a period of 20 days, likewise the petitioner also sought 20 days time to the defacto complainant. Thereafter, they were unable to arrange the money and hence once again they met this petitioner and requested him to seek additional



WEB COPY

time. At that time all other accused persons came to the petitioner's house and all of them abused the defacto complainant using filthy language and threatened the defacto complainant. Further, the accused persons said to have taken some money from the defacto complainant's pocket. Hence, the case.

3. The learned Counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is law-abiding citizen and he is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court; therefore, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that, the Defacto Complainant and his friend of Ramanaguru are worked together in a company. At the request of Ramanaguru, the Defacto-complainant to recover his salary due from KKG finance company. Hence the defacto-complainant decided to engage the accused No.2 to recover the salary due. When the second accused went to threaten the employer of the said Ramanaguru to pay the arrear salary, a case has been registered against him and hence the



WEB COPY

second accused demanded money to look after the criminal case and the said Ramanaguru gave a sum of Rs.1,50,000/-. Thereafter, the second accused demanded additional money from the defacto-complainant and his friend and hence both of them met the present petitioner and requested the petitioner to seek additional time for a period of 20 days. Thereafter, they were unable to arrange the money and thereby all other accused persons came to the petitioner's house in a car bearing registration No. TN-55-PY-2527 and all of them abused the defactocomplainant using filthy language and threatened the Defacto-complainant. Further, the accused persons said to have taken some money from the defacto-complainant's pocket. He further submitted that there are so many previous cases pending as against the petitioner. The investigation is not yet completed. The charges levelled against the accused persons are grave in nature. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

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

6. Considering the representations made by both parties, there is a money dispute pending between the parties and nobody was injured in this case, and



WEB COPY

already this Court dismissed the earlier anticipatory bail filed by the petitioner on 27.12.2024 in CrI.O.P(MD)No.22929 of 2024. Despite that no steps have been taken by the respondent police to secure the accused and already co-accused in this case were released on bail, though the petitioner has so many previous cases, in all the case already bail was granted to him and considering all other factors, this Court is inclined to grant anticipatory bail with the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned District Munsif cum Judicial Magistrate Court, Papanasam, Thanjavur District and on further conditions that:

[b] the petitioner shall report before report the respondent police daily at 10.00 a.m. until further orders.

[c] the petitioner shall not commit any offences of similar nature;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;



WEB COPY

[f] 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 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];

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

Sd/-
06/02/2025

/ TRUE COPY /

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

btr
TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO-THROUGH-THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE,
AMMAPET POLICE STATION,
THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PRABHU, Advocate (SR-1430[I] dated 06/02/2025)

ORDER
IN
CRL OP(MD) No.705 of 2025
Date :06/02/2025

ES/SKN/SAR/19.02.2025/7P/6C

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