



CRL.OP(MD). No.871 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.871 of 2025

Saravanan Veerasamy

... Petitioner / Accused No.5

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
City Crime Branch,
Trichy City.
(Crime No.17 of 2024)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.17 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Aju Tagore, Advocate

For Respondent : Mr.K.Sanjay Gandhi,
Government Advocate (Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 10.01.2025



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under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 383, 415, 120B and 420 of IPC, in Crime No.17 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is working as a high-ranking clerk in LIC in Chidambaram and she is living separately from her husband due to differences of opinion between them. One Suman introduced the defacto complainant to an astrologer named Satishshivaji. The astrologer and his friends extorted Rs.1,18,79,065/-. The alleged occurrences took place during the period between 06.12.2021 and 03.11.2023. The defacto complainant lodged a complaint before the respondent police, seeking action. Consequently, she filed a complaint before the Judicial Magistrate Court No.I, Trichy, requesting a direction to the respondent-police to register a case against the accused. Pursuant to the direction of the Judicial Magistrate Court No.I, Trichy, the respondent-police registered an FIR against the petitioner and four others.

4. Mr.P.Aju Tagore, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has permanent residence and



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deep roots in the Society and the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjay Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 5 accused persons in this case and the petitioner has been arrayed as Accused No.5. He further submits that there are no previous cases against the petitioner. Further, he submits that custodial interrogation of the petitioner is necessary to unearth truth. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the overtact alleged against the petitioner in the FIR, this Court is of the view that custodial interrogation is not necessary in this case. Considering the fact that the petitioner has permanent residence and deep roots in the society, there is less possibility for absconding and therefore, with a view to give an opportunity to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Trichy, within a period of 15 days from date on which the order copy is made ready, on



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executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Trichy.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) Thereafter, the petitioner shall appear and sign before the respondent-police on every Monday at 10.30 a.m. until further orders.

(iv) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him 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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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
05/02/2025

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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 No.I,
Trichy.

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

3.The Inspector of Police,
City Crime Branch,
Trichy City.

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

+1 CC to M/s.P.AJU TAGORE, Advocate (SR-1447[I] dated 06/02/2025)

ORDER
IN
CRL OP(MD) No.871 of 2025
Date :05/02/2025



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