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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2500 of 2025

Annadurai,
S/o. M. Gregory,
No.165/3,New Colony,
Thoothukudi District.

... Petitioner/ Accused No.4

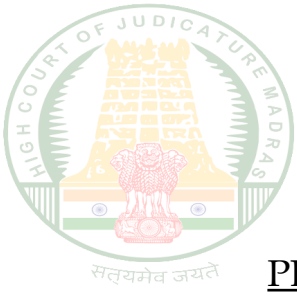
Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
City Crime Branch Police Station,
Tirunelveli City.
(Crime No. 2 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.T.Seeni Syed Amma
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor



PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No. 2 of 2025 on the file of the respondent-Police.

ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 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 419, 465, 468, 471, 420 and 120B of the Indian Penal Code, 1860 (Act No.45 of 1860) in Crime No.2 of 2025 on the file of the respondent-Police.

3. Based on the complaint lodged by the defacto complainant, the respondent Police registered a case against the petitioner in Crime No.2 of 2024 on 04.02.2025. The case of the prosecution is that the petitioner along with other accused persons, had created a forged document and sold the subject property belonging to the defacto complainant to one Annadurai, Hence, the case.

4. Mrs.T.Seeni Syed Amma, learned counsel appearing for the petitioner submits that the petitioner bona fidely entered into a sale agreement with Accused No.1. She further submits that after knowing the truth, the petitioner cancelled the



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registration of the agreement deed on 26.09.2024. She further submits that the petitioner has nothing to do with the alleged offence. She further submits that the petitioner has been falsely implicated in this case. She however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Therefore, she prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits Accused No.1 was arrested and remanded to judicial custody. He further submits that the custodial interrogation of the petitioner may not be necessary in this case. However, he opposes the grant of pre-arrest bail to the petitioner.

6. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. The petitioner is the first offender. Considering the above facts and with a view to give an opportunity to the petitioner to reform himself in the society and considering the fact that the the the sale agreement was cancelled by the petitioner on 26.09.2024, this Court is of the view that custodial interrogation of the petitioner may not be required to the investigating agency. Hence, 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 bail in the event of his arrest or in the



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event of his surrender before the learned Judicial Magistrate No.I, Tirunelveli, within a period of fifteen days from the date on which the order copy is made ready, on 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, Tirunelveli;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police weekly twice (i.e., on Monday and Friday) at 10.00 a.m., until further orders;

(iii) 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 No.I, Tirunelveli, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Tirunelveli;

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

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Tirunelveli 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
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Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
13/02/2025

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

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH POLICE STATION,
TIRUNELVELI CITY.

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

+1 CC to M/s.M/S.ROY AND ROY ASSOCIATES, Advocate (SR-1648[I] dated
14/02/2025)



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ORDER

IN

CRL OP(MD) No.2500 of 2025

Date :13/02/2025

NBF / SKN /SAR- (21/02/2025) 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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