



CRL.OP(MD). No.2927 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.2927 of 2025

Kallathiyan

... Petitioner / Accused
Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
CCB Police Station,
Tirunelveli City.
(Crime No.10 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.10 of 2024 on the file of the respondent police.

For Petitioner : Mr.M.Pandian,
Advocate

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

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 13.02.2025 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 offence punishable under Sections 419, 420, 465, 468 and 471 of Indian Penal Code, 1860, in Crime No.10 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that by impersonation of the defacto complainant, Accused Nos.1 and 2 created power of attorney in the name of Accused No.1 and by using the same, created sale deed in favour of Accused No.3. Accused Nos.4 to 6 are the attestors of the documents and the petitioner herein is an unnamed accused. Hence, the complaint.

4. Mr.M.Pandian, 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 and he has been falsely implicated in this case. He further submits that the investigation might have been completed. He, however, submits that the petitioner is also ready to abide by any conditions to be imposed by this Court. He



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therefore prays for grant of pre-arrest bail to the petitioner.

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5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor, appearing for the respondent-police, submits that investigation in this case has not been completed. Hence, custodial interrogation of the petitioner is necessary to unearth the truth. Therefore, he contends that, if the petitioner is granted pre-arrest bail, he will cause threat to the defacto complainant and other witnesses and also tamper with the evidence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The earlier pre-arrest bail application filed by the petitioner was dismissed on merits by this Court in Crl.OP(MD).No.18353 of 2024 on 24.10.2024. Subsequently, the petitioner filed a second pre-arrest bail petition in Crl.OP(MD). No.20528 of 2024, which was also dismissed by this Court on 26.11.2024 on the ground that there was no change in circumstances. Thereafter, the present petition has been filed. When this case is taken up for hearing today, this Court specifically put a question to the learned counsel for the petitioner to state about the alleged



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change in circumstances. However, the learned counsel is unable to provide
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satisfactory reason. Hence, it is clear that there is no change of circumstances in this
petition. Therefore, this Court is of the view that successive pre-arrest bail
application without any change in circumstances is not maintainable. Accordingly,
this Criminal Original Petition is dismissed.

sd/-
27/03/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1.The Inspector of Police,
CCB Police Station,
Tirunelveli City.

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

ORDER
IN
CRL OP(MD) No.2927 of 2025
Date :27/03/2025

VN/16.05.2025 4P/3C

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