



CRL OP(MD). No.2919 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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R Ramachandran

.. Petitioner/ Accused Rank
Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Velliyanai Police Station,
Karur District.
Crime No. 403/2024.

... Respondent/Complainant

For Petitioner : Mr. T. Aswin Rajasimman
Advocate.

For Respondent : Mr.K. Sanjai Gandhi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.403 of 2024 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 13.02.2025



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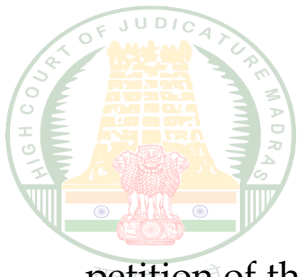
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
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grant an order of pre-arrest bail.

2. The petitioner / accused rank not known, apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 126(2), 296(B), 308 (4) and 351(2) of Bharatiya Nyaya Sanhita, 2023, in Crime No.403 of 2024 on the file of the respondent-police.

3. The case for the prosecution is that on 04.12.2024 at about 11.30 hours, the petitioner along with other accused persons intercepted a Lorry belonging to the defacto complainant and demanded money. Ultimately, the accused persons forced to pay the amount through Phone Pay and a sum of Rs.4,000/- was transferred to the account of the petitioner. Hence, the case.

4. Mr.T. Aswin Rajasimman, 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, however, submits that 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.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that this is a second pre-arrest bail



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petition of the petitioner and the earlier petition filed by the petitioner was dismissed by this Court vide order dated 21.01.2025 in CrI.O.P(MD).No.921 of 2025. He further submits that the investigation of the case is pending and therefore, at this stage, if the petitioner is granted pre-arrest bail, he may commit similar offence, cause threat to the defacto complainant and tamper with the evidence. Hence, he prays to dismiss this Criminal Original Petition.

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

7. In view of the allegation against the petitioner that the accused persons forced to send a sum of Rs.4,000/- to the petitioner's account through Phone-pe, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and 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.II, Karur, within a period of 15 days from 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



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Thousand only) to the satisfaction of the said Magistrate.

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(ii) The petitioner shall deposit a sum of Rs.4,000/- (Rupees Four Thousand only) to the credit of Crime No.403 of 2024 on the file of the learned Judicial Magistrate No.II, Karur, without prejudice to his rights and contentions before the trial Court. On such deposit, the said Magistrate is directed to deposit the said amount in any one of the Nationalized Banks in a fixed deposit scheme for a period of one year and thereafter, renew the same till the conclusion of trial.

(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 shall obtain a copy of any one of identity proofs to ensure their identity.

(iv) The petitioner shall appear and sign before the concerned Judicial Magistrate daily at 10.00 am until further orders.

(v) The petitioner shall make himself available for interrogation by a police officer as and when required.

(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(vii) The petitioner shall not leave India without the previous permission of the



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(viii) The petitioner shall not enter into the defacto complainant's residence or his work place.

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

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

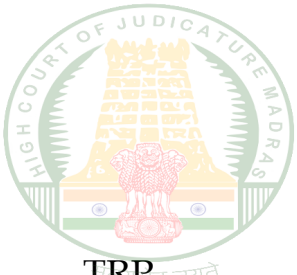
(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

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

sd/-
24/02/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TRP
TO
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1 THE JUDICIAL MAGISTRATE NO.II,
KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
VELLIYANAI POLICE STATION,
KARUR DISTRICT.

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

+1 cc to Mr.T.ASWIN RAJASIMMAN, Advocate, SR.No.11950 (F) DT.25/02/2025

ORDER IN
CRL OP(MD) No.2919 of 2025
Date :24/02/2025

SA/SKN/SAR. /12.03.2025/6P/6C

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