



CRL OP(MD). No.3020 of 2025 &

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3020 of 2025 &
CrI.M.P.(MD)No.2112 of 2025

Sakthivel

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Jeyamangalam Police Station,
Theni District.

Crime No.17 of 2025

... Respondent/ Complainant

For Petitioner : Mr.V.R.Shanmuganathan

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

For Intervenor : Mr.S.A.Ajmal Khan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 14.02.2025 under Section 482 of 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. Initially the case was registered under the head 'Man Missing', thereafter altered into Section 194 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, and later altered into Section 108 of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.17 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and defacto complainant's husband have long standing dispute with respect to running of hotel in the premises of the accused person, wherein, on 22.01.2023, deceased had started new own hotel in a vacant land near by petitioner's premises, hence the petitioner had abused the defacto complainant's husband in filthy language under the influence of alcohol and instigated him to commit suicide. Upset over this, the defacto complainant's husband committed suicide by throwing himself into the river. Hence, the case.



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4. Mr.V.R.Shanmuganathan, learned counsel appearing for the petitioner submits that the petitioner did not commit 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. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that though this is a case of suicide there are sufficient materials available on record to connect the petitioner with crime. Therefore, he prays to dismiss this Criminal Original Petition.

6. Mr.S.A.Ajmal Khan, learned counsel appearing for the defacto complainant submits that the petitioner and other accused persons instigated the defacto complainant's husband to commit suicide and prays to dismiss this Criminal Original Petition.

7. Heard on both sides. This Court has perused the records including the First Information Report and CD file.



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8. Perusal of records shows that sufficient materials are available on record to prove the involvement of the petitioner in the crime. Considering the nature of offence, this Court is of the opinion that custodial interrogation of the petitioner is necessary to unearth the truth. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. Consequently connected Miscellaneous Petition is closed.

sd/-
08/04/2025

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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,
Jeyamangalam Police Station,
Theni District.

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

+1 CC to M/s. VR. SHANMUGANATHAN, Advocate (SR-23854[F] dated 09/04/2025)

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ORDER

IN

CRL OP(MD) No.3020 of 2025

Date :08/04/2025

VN/13.05.2025 5P/4C

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