



CRL OP(MD). No.4180 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4180 of 2025

S.Ajithkumar

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Alanganallur Police Station,
Madurai District.
Cr. No.418 of 2017.

... Respondent/ Complainant

For Petitioner : Ms.P.Krishnaveni

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

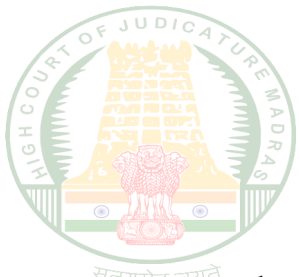
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 418 of 2017 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 04.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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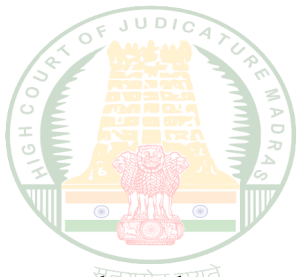
2. The petitioner/Accused No.4 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 395 of IPC, in Crime No.418 of 2017, on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is the Supervisor of the TASMACH shop in Kondaiampatti. On 06.08.2017, at about 9.30 p.m., when the defacto complainant, along with his colleagues, was verifying the collection amount, the petitioner and other accused persons entered in the shop and committed robbery of Rs.3,26,994/- and a cell phone of the defacto complainant by showing sword. Hence, this case.

4. Ms.P.Krishnaveni, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. She further submits that the petitioner has filed pre-arrest bail application before the learned Principal District and Sessions Judge, Madurai, in Cr.M.P.No.6156 of 2019 and Cr.M.P.No.6597 of 2019 which were allowed on 13.11.2019 and 02.12.2019, respectively. However, the petitioner could not surrender before the court and produce sureties in time due to his financial crises and ill health. She further submits that the petitioner filed third pre-arrest bail application in Cr.M.P.No.7326 of 2023 and the same was dismissed on 19.12.2023.

Hence, the petitioner has filed this petition before this Court. She further submits

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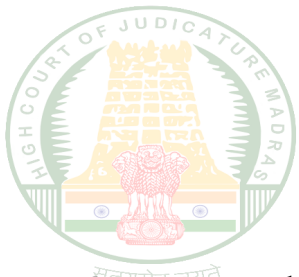
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that the petitioner is ready to abide by any conditions that may be imposed by this Court. She therefore prays to grant bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner, without complying with the conditions imposed by the learned Principal District and Sessions Judge, Madurai, filed successive pre-arrest bail applications. He further submits that the investigation is complete, and the respondent-police filed absconding charge sheet against the petitioner, and the same is pending in P.R.C.No.34 of 2018, before the learned Judicial Magistrate, Vadipatti. He further submits that if pre-arrest bail is granted to the petitioner, he may repeat the same. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The respondent-police registered a case against the petitioner in Crime No.418 of 2017 for the offence under Section 395 of IPC. It is noticed that the petitioner filed Cr.M.P.No.6156 of 2019, before the learned Principal District and Sessions Judge, Madurai, seeking an order of pre-arrest bail and the same was allowed on 13.11.2019. As per the order, the petitioner did not execute bond and produce sureties. Thereafter, the petitioner moved another pre-arrest bail application in Cr.M.P.No.6597 of 2019 before the learned Principal District and



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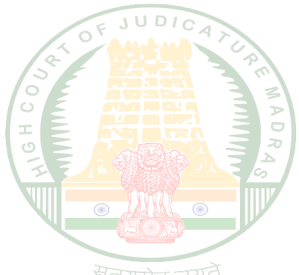
Sessions Judge, Madurai, and the same was also allowed on 02.12.2019. However, the petitioner again did not comply with the conditions. Thereafter, the petitioner filed third pre-arrest bail application in Cr.M.P.No.7326 of 2023, before the learned Principal District and Sessions Judge, Madurai, which was dismissed on 19.12.2023. Hence, the petitioner filed this petition. The alleged occurrence took place in the year 2017. The respondent-police filed absconding charge sheet against the petitioner. For the past eight years, the case is pending before the learned Judicial Magistrate, Vadipatti in P.R.C.No.34 of 2023. The conduct of the petitioner would clearly establish that the petitioner is abusing the process of law by filing successive pre-arrest bail application without any change in circumstances. Accordingly, this Criminal Original Petition is dismissed.

8. Needless to mention that the petitioner is at liberty to surrender before the concerned Judicial Magistrate Court and obtain regular bail as per law, if so he decides or is advised.

sd/-
06.03.2025

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



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TO

- 1.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.4180 of 2025
Date : 06/03/2025

SL(21.03.2025)/ 5P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.