



CRL OP(MD). No.4920 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Ravi

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Natchiyar Kovil Police Station,
Thanjavur District.
Crime No. 107/2025.

... Respondent/Complainant

For Petitioner : Mr.B. Jameelarasu
Advocate

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

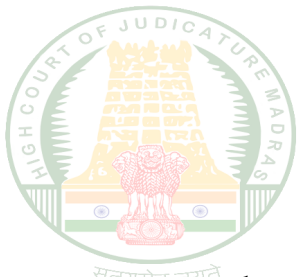
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.107 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 14.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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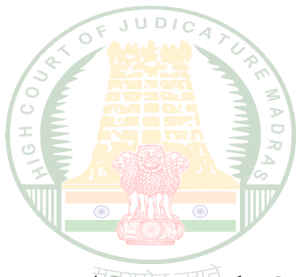
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2. The petitioner / A1 apprehends arrest at the hands of the respondent-police for the offences punishable under Section 194 of BNSS @ 108 of BNS, 2023 in Crime No.107 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that during the time of Gaja Cyclone, the defacto complainant's father loaded cut teakwood trees for the Forest Department, but, the amount nearly Rs.50,00,000/- has not been settled to him . Hence, he borrowed money from the petitioner and other accused persons in order to compensate the loss. Since, the defacto complainant's father was not in a position to settle the amount, he has committed the suicide. Hence, initially, case has been registered under Section 194 of BNSS of 2023 on account of suspicious death. Thereafter, it has been altered to 108 of BNS, 2023 stating that since the petitioner and other accused have demanded money, the defacto complainant's father has committed suicide. Hence, the case.

4. Mr.B. Jameel Arasu, 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



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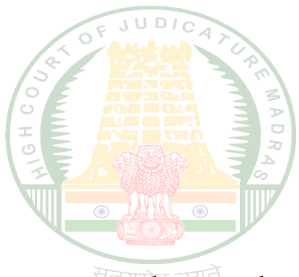
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(Criminal Side) appearing for the respondent-police, submits that there is no previous case pending against the petitioner. However, he submits that the investigation of the case is going on, hence, at this stage, if pre-arrest bail is granted to the petitioner, he may cause threat to the witnesses and commit the similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. It appears that the petitioner advanced the amount to the deceased and he demanded the same. In view of the facts and circumstances, this Court is of the view that custodial interrogation 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 also considering the facts and circumstances of the case, and taking note of the fact that there is specific overt act attributed against the petitioner and that there is no previous case pending against the petitioner, 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, Kumbakonam, within a period of 15 days from date on which the order copy is



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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.II, Kumbakonam.

(ii) 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 the learned Judicial Magistrate No.II, Kumbakonam shall obtain a copy of any one of identity proofs to ensure their identity.

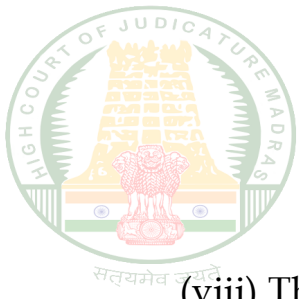
(iii) The petitioner shall appear and sign before the respondent-police weekly thrice ie., on every Monday, Wednesday and Friday at 10.30 am until further orders.

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

(v) 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.

(vi) The petitioner shall not leave India without the previous permission of the Court.

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



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(viii) The petitioner shall furnish his residential address and mobile number to the the learned Judicial Magistrate No.II, Kumbakonam.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.II, Kumbakonam 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/-
18.03.2025

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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. The Judicial Magistrate No.II, Kumbakonam,
2. Do-Through The Chief Judicial Magistrate,
Thanjore District at Kumbakonam



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3. The Inspector of Police,
Natchiyar Kovil Police Station,
Thanjavur District.

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-3077[I] dated 19/03/2025)

ORDER

IN

CRL OP(MD) No.4920 of 2025

Date : 18/03/2025

SL(03.04.2025)/ 6P/ 6C

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