



CRL OP(MD). No.5166 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5166 of 2025

and

Crl.M.P.(MD).No.4028 of 2025

Ruban Shakkraavorthy,

... Petitioner/ Accused

Vs

The State of Tamilnadu Rep.By,
The Sub Inspector of Police,
Theppakulam Police Station, Madurai
District (Crime No.128/2025).

... Respondent/ Complainant

For Petitioner : Mr.Ayyapparaja S,
Advocate.

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

For Intervener : Mr.I.Saliyakhan

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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For Anticipatory Bail in Crime No.128/2025 on the file of the respondent-police

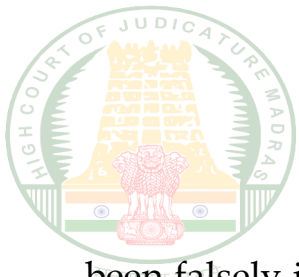
ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 18.03.2025 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 for the alleged offences punishable under Section 316(4) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.128 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner was employed as a delivery boy by M/s.Satchayapathra Foods Private Limited, having its registered office at No.5, Theppakulam Road, Anupanadi Madurai. The petitioner joined the company on 22.01.2020 and was drawing a salary of Rs.16,000/-. The petitioner was entrusted with delivering food packets to various customers and collecting payments from them. However, the petitioner misappropriated the amount collected from the customers to the tune of Rs.4,50,000/-. Hence, the case.

4. Mr.S.Ayyapparaja, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution, and he has



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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 the respondent-Police issued summons to the petitioner. But, he did not cooperate with the investigation. Hence, the custodial interrogation of the petitioner is necessary for the investigating agency. Therefore, if pre-arrest bail is granted to the petitioner, he will abscond and thereby cause delay to the investigation proceedings. Therefore, he prays to dismiss this Criminal Original Petition.

6. Mr.I.Saliyakhan, learned counsel appearing for the defacto complainant / intervener submits that the petitioner misappropriated more than a sum of Rs.7,00,000/- and the petitioner promised to pay the misappropriated amount by selling his own land. But, later, as an after thought refused to settled the amount. Further, submits that the petitioner has moved anticipatory bail in Crl.M.P.No.1044 of 2025 before the learned Principal Sessions Judge, Madurai and the same was dismissed. Now, the petitioner moved this petition. Accordingly, he prays to dismiss this petition.

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



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7. It is stated that the respondent-Police issued summons to the petitioner and that he did not cooperate with the investigation. Hence, this Court is of the opinion that if pre-arrest bail is granted to the petitioner, he will abscond and thereby cause delay to the investigation proceedings. Further, considering the facts of the case, this Court is of the view that the custodial interrogation of the petitioner is necessary for the investigating agency. Therefore, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected civil miscellaneous petition is closed.

sd/-
22/04/2025

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/05/2025

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

vsg
TO

1.THE SUB INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT.

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



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+1. CC to Mr.I.Saliyakhan Advocate SR.No.4582 (I) Dated 23/04/2025
+1 CC to M/s.S.AYYAPPA RAJA, Advocate (SR-4709[I] dated 24/04/2025)

ORDER
IN

CRL OP(MD) No.5166 of 2025
and Crl.M.P.(MD).No.4028 of 2025
Date :22/04/2025

HPS/22.05.2025 /5P/5C

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