



CRL OP(MD). No.5932 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.Chinnapappu @ Muthukumar
2.Baskar

... Petitioners/ Accused Nos.2 & 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Town West Police Station,
Thanjavur District.
Crime No.109 of 2025

... Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran

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

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

PRAYER :-

For Anticipatory Bail in Crime No.109 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 petitioners on 27.03.2025



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

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 and Section 296(b) and 351(2) of Bharatiya Nyaya Sanhita, 2023 in Crime No.109 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that defacto complainant's father is running a TASMAL bar near Rajagori crematorium at Vadakkuvasal, Thanjavur District from 2019 to 2022 paying monthly rent of Rs.15,000/- which was later fixed as Rs.60,000/-. Due to Covid-19 pandemic, the rent could not be paid. A1 threatened the defacto complainant's father and forcibly obtained a bond for Rs.14,50,000/- on 18.12.2023. Thereafter, the accused persons frequently came to the defacto complainant's house, demanded money and tried to attack the defacto complainant with stones. The defacto complainant lodged a complaint with Taluk Police Station in this regard. After enquiry, three months time extension was granted to pay the rent. While so, on 05.03.2025, when the defacto complainant's father went to salon, the accused persons demanded money and threatened to vacate their house. Hence,



the case.

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4. Mr.K.M.Karunakaran, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that in this case, A1 was already arrested and released on bail. However, in view of the nature of offence committed by the petitioners, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners have permanent residence and deep roots in the Society and therefore, there is less possibility of absconding. Considering the nature of the offences allegedly committed by the petitioners and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant



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an order of pre-arrest bail to the petitioners subject to the following conditions:

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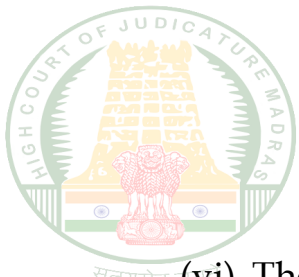
(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Thanjavur, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur;

(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 learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(iv) The petitioners 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;

(v) The petitioners shall not leave India without the previous permission of the Court;



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(vi) Thereafter, the petitioners shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Thanjavur;

(viii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

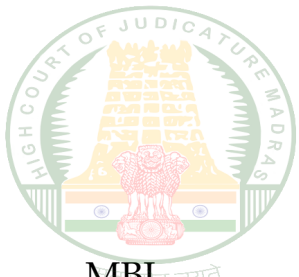
(ix) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K.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

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

sd/-
01/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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MBI
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1.THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

2.THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
TOWN WEST POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S. KARUNAKARAN.K.M. Advocate SR.No.3798 (I)DT.02/04/2025

ORDER IN
CRL OP(MD) No.5932 of 2025
Date :01/04/2025

PR/16.05 .2025 6P/6C

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