



CRL OP(MD). No.6399 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. K Ravi @ Ravichandran

2. R Thilagavathi

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep By,
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
Cr.No.885 of 2023

... Respondent/Complainant

For Petitioners : Mr.S.Ilavarasan,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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



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PRAYER :- For Anticipatory Bail in Cr.No.885 of 2023 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 03.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to 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 294(b), 323, 420 and 406 of IPC in Crime No.885 of 2023 on the file of the respondent-police.

3. The case of the prosecution is that the petitioners are known to the defacto complainant and they informed that if she deposited a sum of Rs.60,000/- in Farm India Company Limited, it would mature to Rs.1,20,000/- in the year end. Believing the same, the defacto complainant deposited a sum of Rs.60,000/-. But till now, the amount has not been returned back. On 01.02.2023, at about 10.00 a.m., when the defacto complainant asked them to return the money, the petitioners herein assaulted the defacto complainant and her husband and abused them with filthy language. Hence, the complaint.

4. Mr.S.Ilavarasan, the learned counsel for the petitioners, submits that the petitioners are innocent persons, and that they have not committed any offence as alleged by the prosecution, and that they have been falsely implicated in this case.



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He, however, submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. He further submits that the petitioners have also deposited a sum of Rs.60,000/- in the above said company. He further submits that the petitioners are ready to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of crime number before the concerned Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the defacto complainant deposited a sum of Rs.60,000/- in Farm India Company Limited on believing the words of the petitioners that she would get double the amount on maturity. But they did not repay the amount and when it was demanded, the petitioners herein abused the defacto complainant in filthy language and also threatened her with dire consequences. Hence, he vehemently opposed the grant of pre-arrest bail to the petitioners.

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

7. In view of the nature of the offence allegedly committed by the petitioners, and considering the facts and circumstances of the case, this Court is of the view that the custodial interrogation of the petitioners is not necessary for the investigating agency in this case. Considering the same and also considering the fact that the



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petitioners have permanent residence and deep roots in the society, and therefore, there is less possibility of absconding, and also with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(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, Orathanadu, 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, Orathanadu;

(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, Orathanadu, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall appear and sign before the respondent-police weekly once (i.e., on Sunday) at 10.00 a.m., until further orders;

(iv) The petitioners jointly shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.885 of 2023 on the file of the respondent-



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police, before the learned Judicial Magistrate, Orathanadu, within a period of thirty days from today (i.e., on 25.04.2025). In turn, the learned Judicial Magistrate shall deposit the said amount in an interest-bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.885 of 2023. The learned Judicial Magistrate/Trial Court shall pass orders qua entitlement of the said amount in its final order/judgment;

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

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

(vii) 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;

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

(ix) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Orathanadu;

(x) The petitioners shall not enter into the defacto complainant's house and



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work place; and

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(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Orathanadu 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 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/-
25/04/2025

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

TSG

TO

1 THE JUDICIAL MAGISTRATE,
ORATHANADU.

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

3 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

<https://www.hmc.tn.gov.in/judis>



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WEB COPY +1 CC to M/s.S.ILAVARASAN, Advocate (SR-5061[I] dated 29/04/2025)

ORDER
IN
CRL OP(MD) No.6399 of 2025
Date :25/04/2025

SA/SAR. /05.05.2025/7P/6C

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