



CRL OP(MD). No.6676 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.6676 of 2025

R.Azarudeen

... Petitioner/
Accused No.5

Vs

The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
(Crime No.233 of 2024)

... Respondent/
Complainant

For Petitioner : Mr.L.Ramu,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No.233 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.5, who apprehends arrest at the hands of the



CRL OP(MD). No.6676 of 2025

respondent police for the offences punishable under Sections 191(1), 191(3), 296(b), 115(2), 118(1), 140(3), 329(4), 305(a) and 351(3) BNS, 2023 altered into Sections 191(2), 191(3), 296(b), 115(2), 118(1), 140(1), 329(4), 305(a) and 351(3) BNS, 2023 in Crime No.233 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there existed money transaction between the accused and the defacto complainant, for which, the petitioner along with other accused persons kidnapped the defacto complainant and his wife and children and wrongly confined them to different places and by forcing the defacto complainant obtained a sale deed from him and executed the same in favour of the petitioner and also threatened the defacto complainant not to disclose about the kidnap. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner and that the petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent has filed a status report raising objections to grant anticipatory bail to the



CRL OP(MD). No.6676 of 2025

WEB COPY

petitioner and would submit that there are totally 7 accused, the petitioner arrayed as A5 and that the accused persons had kidnapped the defacto complainant and forcibly obtained a sale deed from him. He would further submit that the first accused was granted anticipatory bail by this Court in Crl. O.P.(MD)No.2466 of 2025 vide order dated 08.04.2025 on condition to deposit Rs.3,50,000/- and the accused 2 and 3 were granted anticipatory bail by this Court in Crl.O.P.(MD)No.2472 of 2025 vide order dated 08.04.2025 on condition to deposit Rs.1,75,000/- each, that the fourth accused was released on bail by the Judicial Magistrate, Karaikudi in Crl.M.P.No.137 of 2025 vide order dated 09.01.2025 and that the accused 6 and 7 were granted bail by the Principal Sessions Court, Sivagangai in Crl.M.P.Nos.141 and 489 of 2025 vide orders dated 22.01.2025 and 24.01.2025. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also considering the fact that the accused 1 to 3 were granted anticipatory bail by this Court and the accused 4, 6 and 7 were released on bail by the lower Court and taking note of the facts that the evidence are based on records, that most of the investigation might have been completed by this time and that custodial interrogation of the petitioner is not necessary, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.6676 of 2025

WEB COPY

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Karaikudi on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate, Karaikudi and on further conditions that:

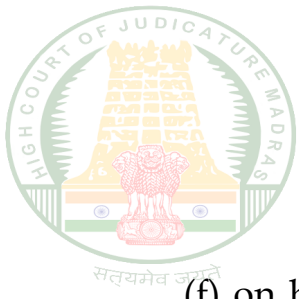
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Karaikudi. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Karaikudi;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



CRL OP(MD). No.6676 of 2025

WEB COPY

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
14/07/2025

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

csm
TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, SAKKOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.

+1 CC to M/s.L.RAMU, Advocate (SR-7582[I] dated 15/07/2025)



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CRL OP(MD). No.6676 of 2025

ORDER
IN

CRL OP(MD) No.6676 of 2025

Date :14/07/2025

NBF/SAR- /30/07/2025/ 6P/6C

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