



CRL.OP(MD). No.6901 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
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DATED: 25.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6901 of 2025

Nagalingam

... Petitioner / Accused No.2

Vs.

The State of Tamil Nadu rep by  
The Inspector of Police,  
Thiruverumbur Police Station,  
Trichy District.  
(Crime No.171 of 2025)

... Respondent / Complainant

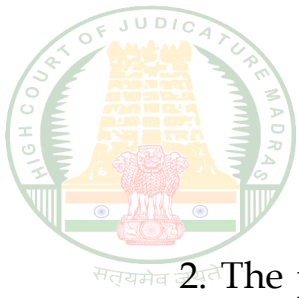
**PRAYER** :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.171 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Sankar,  
Advocate

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

**ORDER** : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 15.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 420, 406, 294(b) and 506(1) of Indian Penal Code, 1860, in Crime No.171 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the the defacto complainant lodged a complaint before the respondent police alleging that his relatives residing in Dubai had entrusted a sum of Rs.5,00,000/- to one Manikandan, who had recently returned from Dubai, with instructions to hand over the said amount to the defacto complainant. However, Manikandan delayed in handing over the money. A1, who is the owner of the premises occupied by the defacto complainant, assured him that he would help to recover the amount from Manikandan. Believing his assurance, the defacto complainant, along with A1, visited Manikandan's native place and received Rs.4,00,000/- out of the Rs.5,00,000/-. The said Manikandan also assured that the remaining Rs.1,00,000/- would be repaid shortly. Upon returning to their native place, A1 took possession of the Rs.4,00,000/- from the defacto complainant, stating that he needed the amount for urgent expenses and promising to repay it within ten days. However, he failed to do so. Subsequently, while A1 and his brother (petitioner/A2) were in their car near Mariamman Koil Roundana, the defacto complainant approached them and demanded repayment. At that time, both



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A1 and the petitioner(A2) abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the case.

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4. Mr.S.Sankar, 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. He further submits that a false case has been foisted against the petitioner. He further submits that the entire transaction took place between the defacto complainant and A1, and that the petitioner herein had no involvement whatsoever in the said transaction. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused persons abused the defacto complainant in filthy language and threatened him with dire consequences. He further submits that there are no previous cases against the petitioner. However, he, contends that if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant and tamper with the evidence. Hence, he prays to dismiss this Criminal Original Petition.



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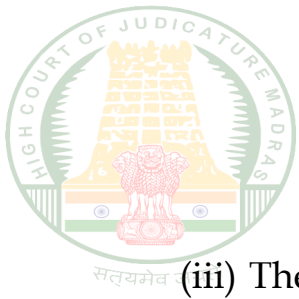
6. Heard on both sides. This Court has perused the records.

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7. In view of the nature of the offence allegedly committed by the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required in this case. Considering the same and also taking note of the fact that there are no previous cases against the petitioner, and with a view to give an opportunity to the petitioner 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.IV, Trichy, 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) 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.IV, Trichy.

(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.



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(iii) The petitioner shall appear and sign before the respondent-police weekly twice i.e., on every Sunday and Monday at 10.00 a.m. 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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

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

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, 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].



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

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Sd/-

25/04/2025

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/05/2025

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

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To

- 1.The Judicial Magistrate No.IV,  
Trichy.
- 2.Do Through  
The Chief Judicial Magistrate,  
Trichy.
- 3.The Inspector of Police,  
Thiruverumbur Police Station,  
Trichy District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**KVL - ( 27.05.2025) 7P/ 5 C**

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