



CRL OP(MD). No.7207 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Mariappan

... Petitioner/Accused No.10

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
DCB Tenkasi Police Station,
Tenkasi District.
(Crime No.7 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh

For Respondent : M/s.M.Aasha
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.7 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(3), 318(4), 338, 339, 61(2) and 351(2) of BNS Act, in Crime No.7 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant approached A1 for getting a loan for running his business. A1 assured the defacto complainant that he will make necessary arrangements for the loan. For this purpose, A1 was insisting for the execution of a Memorandum of Understanding in favour of the company. A1 also insisted that the defacto complainant must pay 1% out of the total loan amount which works out to Rs.50 lakhs. This amount was handed over by the defacto complainant to A1. Subsequently, it came to light that all the accused persons joined together and had cheated the defacto complainant. There are totally 12 accused persons in this case (initially 7 accused persons and subsequently 5 accused persons were added). The petitioner has been arrayed as A10.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that co-accused has already been granted anticipatory bail by this Court in Crl.OP(MD).No. 1220 of 2025 dated 30.01.2025. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is no previous case pending against the petitioner. However, she vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and if the petitioner is directed to deposit a sum of Rs. 1,00,000/- to the credit of crime number, the same would suffice to grant anticipatory bail to the petitioner, with other conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.1, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate Court No.1, Tirunelveli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 is directed to deposit a sum of Rs. 1,00,000/- (Rupees One Lakh only) to the credit of Crime No.7 of 2024 before the learned Judicial Magistrate Court No.1, Tirunelveli. On such deposit, the learned Judicial Magistrate Court No.1, Tirunelveli, shall accept the sureties furnished by the petitioner. After receipt of entire amount, the learned Judicial Magistrate Court No.1, Tirunelveli, shall



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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.7 of 2024. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(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;

(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;



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

(S S Y J)
22.10.2025

msrm

To

- 1.The learned Judicial Magistrate Court No.1,
Tirunelveli.
- 2.The Inspector of Police,
DCB Tenkasi Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.7207 of 2025**

22.10.2025