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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7345 of 2025

1. Sidharth Bethala
2. John Britto ... Petitioners/Accused Nos.1 and 2

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
Cr.No.128 of 2025. ... Respondent/Complainant

For Petitioners : Mr. S. Ramasamy
Advocate
For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.128 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 21.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / accused Nos.1 and 2 apprehend arrest at the hands of the respondent-police for the alleged offences punishable under Sections 303(2) and 351 (2) of BNS, 2023 in Crime No.128 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 09.02.2025 at about 12.30 pm, the petitioners took away the car without defacto complainant consent when she and her son followed them and questioned them near Thiruvattar channel in Kalkulam Taluk, the petitioners threatened to kill them, if they tried to take back the car.

4. Mr.S.Ramasamy, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons, and they have not committed 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. He therefore prays for grant of pre-arrest bail to the petitioners.

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5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioners herein are not arrayed as accused in this case.

6. The said submission is recorded. In view of the said submission, there is no reasonable apprehension of arrest of the petitioners at the hands of the respondent - Police. Hence, this Criminal Original Petition filed under Section 482 of BNSS, 2023 is not maintainable.

7. Accordingly, this Criminal Original Petition is dismissed as not maintainable.

sd/-
23/04/2025

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

TRP
TO
1. The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.

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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.7345 of 2025
Date :23/04/2025

HPS/28.05.2025 /4P/3C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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