



CRL OP(MD)No.7364 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 27/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.7364 of 2025

N.Maruthai

... Petitioner/

Accused Rank Not Known

Vs.

The State of Tamilnadu rep. by
The Inspector of Police,
Karuppayurani Police Station,
Karuppayurani,
Madurai City.
(In Crime No.39 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Mr.Niranjana S.Kumar
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.39 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under section 194 of BNSS and subsequently altered into Section 108 of BNS Act 2023, in Crime No.39 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband was running a fruit commission shop in the name of MGS and he had business transaction with the petitioner's shop also. He had borrowed money from the petitioner and other persons for business and they were harassing him to return the money. While so, on 15.04.2025, at about 6.00 p.m., defacto complainant's husband called her daughter and informed that he would be returning home by that night, but even on 16.04.2025, till 3.00 a.m., he had not returned. At about 7.00 a.m., the defacto complainant had got information from the respondent police station that her husband Ganesan, was lying dead by consuming poison. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that there are totally four accused in this case this petitioner is arrayed as Accused No.3. He would further submit that the petitioner is an innocent person and he has not committed



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any offence as alleged by the prosecution and the Accused No.4 was already granted anticipatory bail by this Court in CrI.O.P(MD)No.8559 of 2025, dated 08.05.2025. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.side) submits that the deceased borrowed money from the petitioner and other accused persons for business purposes and they harassed the defacto complainant's husband to return the money, so he committed suicide by consuming poison. Hence, he objected to grant anticipatory bail to the petitioner. However, he fairly concedes that the petitioner appears and co-operates for enquiry regularly and no previous case is pending against him.

5. Considering the facts and circumstances of the case, and considering the fact that the date of registration of F.I.R. is 16.04.2025 and altered the offence under Section 194 of BNSS to 108 of BNS Act on 23.04.2025, by this time most of the investigation might have been completed, and that there are no previous cases is pending against the petitioner and the co-accused was already granted anticipatory bail by this Court, and that custodial interrogation of the petitioner does not require, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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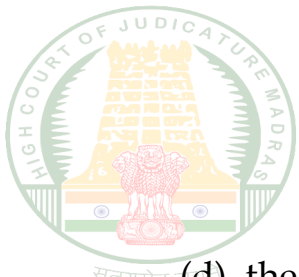
WEB COPY

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.II, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the Judicial Magistrate Court No.II, Madurai, 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 shall furnish his residential address and contact number to the learned Judicial Magistrate No.II, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Madurai;

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



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सत्यमेव जयते (d) the petitioner shall not tamper with evidence or witness either during
WEB COPY 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;

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

sd/-
27/06/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD

TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI



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2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KARUPPAYURANI POLICE STATION,
KARUPPAYURANI,
MADURAI CITY.

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

+1. CC to NIRANJAN S. KUMAR Advocate SR.No.6919 (I) DT.30/06/2025

ORDER
IN
CRL OP(MD) No.7364 of 2025
Date :27/06/2025

NM/09.07.2025/ 6P/6C

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