



CRL OP(MD)No.8415 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8415 of 2025

Babu @ Ravindran

... Petitioner/
Accused No.2

Vs

The State represented by
The Inspector of Police,
DCB Police Station,
Thanjavur District.
(Crime No.2 of 2024)

... Respondent/
Complainant

For Petitioner : Mr.E.Marees Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

For Anticipatory Bail in Cr.No.2 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 294(b) and 506(1) of IPC in Crime No.2 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that bus permit has been given by the concerned authorities from Battalgundu - Thandigudi via Pannaikadu, the defacto complainant and his friends were agreed to purchase the said permit along with the bus for the consideration of Rs.65 Lakhs and they have paid Rs.1,00,000/- as an advance to the first accused and the amount of Rs.15 Lakhs has been transferred by way of account transfer in favour of the first accused and on the said day they were agreed to pay the balance amount of Rs.50 Lakhs with interest of 1.60 paise to the first accused. On the basis of the said agreement, the first accused has delivered the bus to the defacto complainant. The defacto complainant and his friend have issued 6 cheques and some other documents with signatures of both the defacto



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complainant and his friend. But subsequently the defacto complainant has not running the bus business successfully in the said route and the collection of amount has also not sufficient to repayment of the pending amount to the first accused. Therefore, again they approached the first accused to get back his vehicle, as they were unable to earn money on the said route. However, the first accused did not agreed to get back his vehicle instead he promised to sell a vehicle to Accused No.2 at the rate of Rs.70 Lakhs. On believing his words, the defacto complainant handed over the vehicle to the possession of A2 after receiving Rs.2 Lakhs from the A2. However, subsequent to this, A.1 presented the cheques, which had been obtained from the defacto complainant only for the purpose of security. Therefore, there was a wordy quarrel between A1 and the defacto complainant on the said date of occurrence and therefore, the present FIR has been registered. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He therefore prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the defacto complainant was unable to earn money on the said route and the condition of the bus is not good. So the first accused has not agreed to get back his vehicle but



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instead gave false promise to sell a vehicle to Accused No.2 at a higher price and currently the bus is in possession of A1.

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5. Considering the facts and circumstance of the case and also considering the fact that nature of overt-act attributed against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.II, Thanjavur 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 Magistrate concerned, 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 report before the respondent Police daily at 10.30 a.m. until further orders.



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
08/05/2025

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

MGA

TO

1.THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.

2.DO THROUGH

5/6



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THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
DCB POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-5396[I] dated 08/05/2025)

ORDER
IN

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Date :08/05/2025

HPS/28.05.2025 /6P/6C

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