



CRL OP(MD)No.8559 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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Hariharan

... Petitioner

Vs

State of Tamilnadu,
Represented through Inspector of Police,
Karuppayurani Police Station,
Karuppayurani,
Madurai City.
(In Crime No.39 of 2025)

... Respondent

For Petitioner : Mr.Niranjan S.Kumar

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.39 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for



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the offences punishable under section 194 of BNSS and subsequently, altered into Section 108 of Bharatiya Nyaya Sanhita 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 had borrowed money from other persons for business and they were harassing him to return the money. The defacto complainant had got information from the respondent police that her husband Ganesan was lying dead by consuming poison. Hence, the complaint.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner and the deceased brother were business partners. They borrowed several crores of money for business and paid the interest regularly. The petitioner requested to settle the amount. The deceased and his brother voluntarily gave the partnership firm in favour of the sole proprietor. Thereafter, he committed suicide on 15.04.2025 by consuming poison. The respondent police seized the poison bottle and the two wheeler. Even as per the accused, the date of transaction is said to be 21.03.2025 and the death has taken place



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on 15.04.2025. Accused No.3 has approached this Court already and this Court has granted protection to him. So far rank is not assigned to the petitioner. In the earlier application filed by Accused No.3, they had stated that the petitioner herein is the Accused No.4. There is no previous case against the petitioner.

5. Considering the facts and circumstances of the case and considering the role of the petitioner, this Court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6. Accordingly, the petition is allowed and 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, Madurai, 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.



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[b] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

[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.

Tmg



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- 1.The Judicial Magistrate No.II, Madurai.
2. Do through the Chief Judicial Magistrate, Madurai.
- 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 M/s.NIRANJAN S.KUMAR, Advocate (SR-5375[I] dated 08/05/2025)

ORDER

IN

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Date :08/05/2025

PP/26.05.2025 5P/6C

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