



CRL OP(MD). No.9005 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS. JUSTICE **R.POORNIMA**

CRL OP(MD). No.9005 of 2025

1. B.Kalidoss

2. P.Santhiya

3. Pandi

... Petitioners/

Accused Rank Not Known

Vs

The State of Tamilnadu
Represented by the Inspector of Police,
Allinagaram Police Station,
Theni District.
(Crime No. 109 of 2025).

... Respondent/Complainant

For Petitioners : Mr. R.Shankar Ganesh
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sections 296 (b), 115 (2) and 351 (3) of
BNS Act, 2023 r/w, 4 of TNPHW Act.



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PRAYER :-
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For Anticipatory Bail in Crime No. 109 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 115(2) & 351(3) of BNS Act, 2023 r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.109 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed amount from Aadhar finance, but they could not repay the money. Therefore, the defacto complainant and her husband approached the first petitioner and he assured that he will repay the money and redeem the mortgage. He obtained her signature in blank pronote and stamp papers. Subsequently on 16.05.2025 at about 11.00 p.m, suddenly, the accused persons entered into her house by stating that they purchased the property by paying a sum of Rs.2,00,000/- (Rupees Two Lakhs only) and threatened her to evict the premises and also abused them in filthy language and caused dire consequences. He pulled up, assaulted and attacked her with hands and legs. Therefore, she consumed petrol. The petitioners stated that there was a civil dispute



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between both the parties and both lodged complaints before the police. The first petitioner wanted to purchase the property and the petitioners paid the sale consideration in possession by way of othi document. Due to escalation of value, the defacto complainant refused the sale deed and also in view of the fact that the some of the relatives who are belonging to the same community, wanted the petitioner not to purchase the property, subsequently, the defacto complainant tried to evict the petitioners from the house and attacked the petitioners. Therefore, a false case has been foisted against the petitioners as if the petitioners have attacked the defacto complainant and obtained a forged agreement, which was alleged to be entered into for a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only). Hence the complaint.

3. The learned Government Advocate (Crl Side) appearing for the respondent seriously objected the bail application by stating that the petitioners fabricated the sale agreement and tried to trespass into the defacto complainant's property and also by stating that A1 is having 8 previous cases.

4. Taking into consideration of the serious offence and also the nature of offence, this Court is not inclined to grant anticipatory bail.



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5. Hence, this Criminal Original Petition stands dismissed.

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/06/2025

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

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TO

1 THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
THENI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.9005 of 2025
Date :28/05/2025

SS/SAR- /03/06/2025/ 4P/3C

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