



CRL OP(MD).No.9215 of 2025

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

Date : 11/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Benasir @ Benazir,
W/o. Abuthahir @ Syed Abuthahir,

2. Shamila @ Shamila Syed,
D/o. Abuthahir @ Syed Abuthahir,

3. Sarabeevi,
W/o. Abbas

residing at
Hisha Cottage,
Rosappookandam,
Kumily, Idukki District,
Kerala - 685 509.

.. Petitioners/ Accused Nos.1
to 3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.82 of 2025)

.. Respondent/ Complainant



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For Petitioners : Mr.M.Palani,
Advocate

For Respondent : Mr.M.Karunanithi
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.82 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 406 and 420 of IPC in Crime No.82 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner borrowed hand loan from the defacto-complainant for a sum of Rs.6,50,000/-. The petitioners failed to repay the said loan amount. Whenever, the defacto-complainant asked about the repayment of money, the petitioners threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the defacto-complainant and the petitioners are close relatives. The Defacto-complainant



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lending money with exorbitant interest rate. The petitioners borrowed the money as debt with exorbitant interest rate, to meet out petitioners' daughter's educational expenses. In this case, A3 is a senior citizen, she is aged about 69 years. In the FIR it is state that the alleged occurrence was took place only on 21.10.2019. But, the FIR was registered only on 26.02.2025. The petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the petitioners borrowed Rs.6,50,000/- on various occasion from the defacto-complainant and they failed to repay the same. There is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the fact that money dispute is pending before the parties, date of occurrence took place in the year 2019 and the FIR was registered only in the year 2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of



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their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Theni on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate, Theni and on further conditions that:

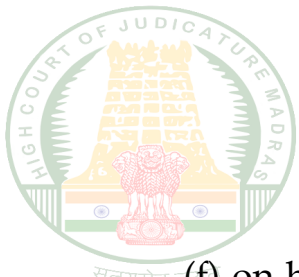
(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Theni. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Theni;

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

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



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(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]; and;

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

sd/-
11/06/2025

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

gvn

TO

1.THE JUDICIAL MAGISTRATE,
THENI.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3.THE INSPECTOR OF POLICE,
THENI POLICE STATION,
THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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

+1 CC to M/s.M.PALANI, Advocate (SR-6235[I] dated 12/06/2025)

ORDER
IN

CRL OP(MD) No.9215 of 2025
Date :11/06/2025

HPS/26.06.2025 /6P/6C

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