



CRL OP(MD). No.9583 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 17.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.9583 of 2025

A.Benedict Xavier

... Petitioner/ Accused No. 1

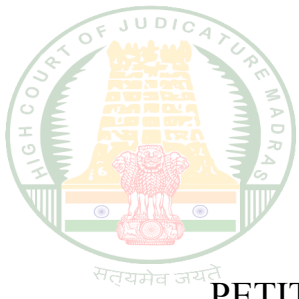
Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.123 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Arputharaj

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl. side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.123 of 2025 on the file of the respondent police.

(Amended as per order of this Court dated 01.08.2025 in Crl.M.P.(MD)No.10029 of 2025 in Crl.O.P.(MD)No.9583 of 2025)

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 318(2), 318(4) and 351(2) of BNS, 2023, in Crime No.123 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons cheated a sum of Rs.15,00,000/- from the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as



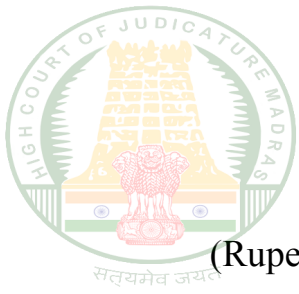
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alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner has already paid a sum of Rs.8,00,000/- and that the remaining amount of Rs.7,00,000/- is still payable. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the fact that more than half of the amount has already been paid and also considering the fact that it is civil dispute, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-



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(Rupees Ten Thousand only) 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 learned Magistrate concerned and on further conditions that:

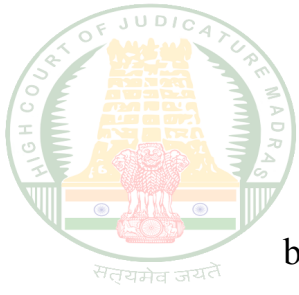
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation;

(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



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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;

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

(S S Y J)
17.09.2025

jbr

To

1. The Judicial Magistrate,
Thiruvadanai.
2. The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.9583 of 2025

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