



CRL OP(MD).No.10334 of 2025

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

Date : 02/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.10334 of 2025
and
CRL.MP(MD).No.8440 of 2025

V.Mariyappan,
S/o.Velu Pillai,

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli city.
(Crime No.69 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar
Advocate.

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

For Intervener : Mr.K.K.Samy

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.69 of 2025 on the file of the Respondent Police.

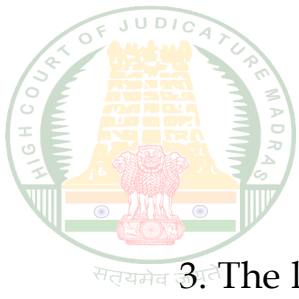


CRL OP(MD).No.10334 of 2025

ORDER: This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 29.05.2025 for the offences punishable under Sections 191(2), 296(b), 115(2), 351(3) & 318(4) of the BNS, 2023 in Crime No.69 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant on 04.1.2025, transferred a sum of Rs.4,00,000/- to this petitioner through online mode. This petitioner assured her that he would lease out his property. The defacto-complainant requested him to return the money. This petitioner told her that he would pay interest for the said amount. Subsequently, the defacto-complainant gave him an additional sum of Rs.6,00,000/-. Further, she gave jewels to the petitioner and the same was also pledged in the name of second accused and he received an amount of Rs.6,44,000/-. On 14.03.2025, the defacto-complainant asked the petitioner to return her money, this petitioner assaulted and threatened her with dire consequences. He further stating that he had created false documents as if the defacto-complainant borrowed Rs.10,00,000/- from him. Unable to tolerate the same, the defacto-complainant consumed pesticide and immediately taken to hospital and secured. Hence, the case.

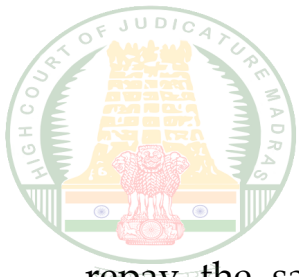


CRL OP(MD).No.10334 of 2025

WEB COPY

3. The learned counsel for the petitioner would submit that for the said money dispute, the respondent police continuously harassing the petitioner under the guise of enquiry. In which, the petitioner has filed a direction petition in CrI.O.P.(MD). No.5359 of 2025, seeking a direction directing the respondent police not to interfere in the civil dispute. The respondent police received notice from this Hon'ble Court and registered a false case against the petitioner. Moreover, the defacto-complainant who received Rs.10,00,000/- in lieu of the lease amount from the petitioner. In order to evade in repaying the lease amount, the complainant colluded with the respondent police, and registered a case against the petitioner in Cr.No.69 of 2025. This petitioner also lodged a complaint in Crime No.70 of 2025. After registering the said case, the petitioner filed a petition in CrI.O.P.(MD). No.5642 of 2025 seeking anticipatory bail. On 28.03.2025, this Hon'ble Court has granted anticipatory bail to the petitioner. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 29.05.2025 nearly 35 days. Hence, he seeks bail.

4. The learned Counsel appearing for the intervener would submit that this petitioner borrowed huge amount from the defacto-complainnt and he failed to



CRL OP(MD).No.10334 of 2025

WEB COPY

repay the same. The defacto-complainant and her husband demanded all the money and gold to return back, this petitioner annoyed and started quarrelling and brutally attacked the defacto-complainant and her husband. This petitioner abused her by using derogatory words. This petitioner earlier filed one anticipatory bail application before this Hon'ble court in Crl.O.P.(MD).No.5642 of 2025 and this Hon'ble Court had allowed the said application with certain conditions. This petitioner once again attacked the defacto-complainant with iron rod in public place and threatened her to withdraw the case which was lodged against him. This petitioner/accused is notorious criminal and having bad antecedent. If this petitioner released on bail, then he will interrupt the investigation and he will tamper and hamper the witnesses. Moreover, the anticipatory bail order obtained by this petitioner was subsequently cancelled by the learned Judicial Magistrate No.IV, Tirunelveli in Crl.M.P.No.1986 of 2025 dated 26.05.2025. Hence, he prays to dismiss the present bail petition.

5. The learned Government Advocate (Criminal Side) would submit that it is the case of money dispute. This petitioner cheated the defacto-complainant and swindled huge amount from her. When the same questioned by her, this petitioner assaulted her and abused her by using filthy language. The anticipatory bail order obtained by this petitioner was subsequently cancelled by the learned Judicial



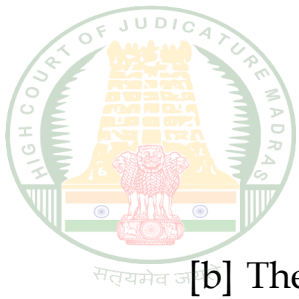
CRL OP(MD).No.10334 of 2025

Magistrate No.IV, Tirunelveli in Crl.M.P.No.1986 of 2025 dated 26.05.2025. This
WEB COPY
petitioner attacked the defacto-complainant with iron rod in public place and threatened her to withdraw the case which was lodged against him. The defacto-complainant had sustained injuries and she admitted in hospital as inpatient and later she discharged from hospital. This petitioner/accused is notorious criminal and having bad antecedent. This petitioner is having four previous cases. In this case, investigation is still pending. Hence, he objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, the anticipatory bail order was cancelled and this petitioner was arrested on 29.05.2025, he is in judicial custody from 29.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.IV, Tirunelveli and on further conditions that :-

[a] 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.



CRL OP(MD).No.10334 of 2025

[b] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.IV, Tirunelveli. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.IV, Tirunelveli;

[c] the petitioner shall appear and sign before the Inspector of Police, Junction Police Station daily twice at 10.30 a.m., and 05.30p.m. until further orders.

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

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

[f] 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 petitioner 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].

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

8.Consequently, connected miscellaneous petition is closed.

sd/-
02/07/2025

/ TRUE COPY /

02/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD).No.10334 of 2025

gvn
WEB COPY
TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4. The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City.

5. The Inspector of Police,
Junction Police Station,
Tirunelveli.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-7066[I] dated 02/07/2025)

ORDER
IN

CRL OP(MD) No.10334 of 2025

Date :02/07/2025

MK/02.07.2025 7P/8C

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