

CRL OP(MD). No.15014 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD).No.15014 of 2025

Ganapathy,
S/o.Ouikkattan, .. Petitioner/Accused
No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Moolaikaraipatty Police Station,
Tirunelveli District.
(Crime No.236 of 2025) .. Respondent/Complainant

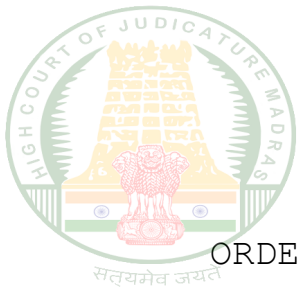
For Petitioner :Mr.A.Jayaramachandran
Advocate

For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Crime No.236 of 2025
on the file of the Respondent Police.



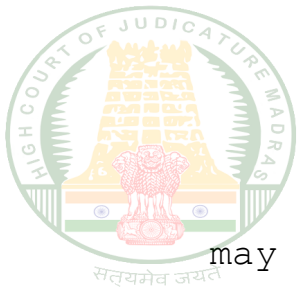
CRL OP(MD). No.15014 of 2025

ORDER : The Court made the following order :-

WEB COPY The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4) of BNS Act, 2023 in Crime No.236 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner received jewels from the defacto-complainant and availed loan from the bank and swindled the amount. Hence, the case.

3. The learned counsel for the petitioner would submit that there are totally two accused persons involved in the said occurrence, this petitioner was arrayed as Accused No.1. The respondent police lodged a false case against this 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 which



CRL OP(MD). No.15014 of 2025

may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the accused persons joined together and forged the defacto-complainant by receiving his jewels and pledged the same into finance company and availed money. In this case, investigation is not completed. There is no previous case against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.15014 of 2025

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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, Tirunelveli District 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Nanguneri, Tirunelveli District 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;



CRL OP(MD). No.15014 of 2025

[b] the petitioner shall make deposit of **Rs.1,50,000/- (Rupees one Lakhs Fifty Thousand only)** to the credit of **Crime No.236 of 2025**, without prejudice to his defence before the trial Court; and on such deposit being made, the learned Judicial Magistrate, Nanguneri, Tirunelveli District shall accept the sureties furnished by the petitioner; the learned Judicial Magistrate, Nanguneri, Tirunelveli District shall deposit the said amount as fixed deposit in a Nationalized Bank and the entitlement of the said amount will be decided at the time of disposal of the main case.

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Nanguneri, Tirunelveli District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Nanguneri, Tirunelveli District;



CRL OP(MD). No.15014 of 2025

(d) the petitioner shall appear and sign before the respondent police daily at 10.30a.m. until further orders.

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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]*; and;



CRL OP(MD). No.15014 of 2025

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

(S S Y J)
11.09.2025

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TO

1. The Judicial Magistrate,
Nanguneri, Tirunelveli District.

2. The Inspector of Police,
Moolaikaraipatty Police Station,
Tirunelveli District.

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



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CRL OP(MD). No.15014 of 2025

S. SRIMATHY, J

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ORDER
IN
CRL OP (MD) No.15014 of 2025

Dated : 11/09/2025