



CRL OP(MD). No.21814 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. M Venkateswaran

2. M V Ramvijay

3. V Indra

... Petitioners/ Accused Nos.1 to 3

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Theni District.

Theni.

(Crime No.34 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Ganesamoorthi K, Advocate

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

For Intervenor : Mr.C.Jeganathan, Advocate



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.34 of 2024 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 alleged offence under Sections 318(2), 318(4), 296(b), 351(2) and 61(2) of BNS (hereinafter referred to as new penal code) in Crime No.34 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a petrol bunk. The accused persons were having omni bus and they had filled up fuel from the petrol bunk. The dues accumulated to Rs.25 Lakhs and it was not repaid back from the year 2021 onwards. When the demand was made by the defacto complainant, the amount was not settled and the accused persons are said to have abused the defacto complainant in filthy language and also threatened with dire consequences.

3.Considering the nature of dispute between the parties, they were referred to

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



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the Mediation Centre. A mediation report has been received to the effect that no agreement was reached between the parties.

4. Accordingly, the matter was listed for hearing before this Court.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

6. Taking into consideration the facts and circumstances of the case and the nature of transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two common sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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



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card or Bank pass Book to ensure their identity.

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[c] the petitioners shall report before the respondent police as and when required for interrogation.

[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;

[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 absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
22/01/2025

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/02/2025

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

LR



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TO
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1. THE JUDICIAL MAGISTRATE, THENI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.
 3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
THENI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.GANESAMOORTHY, Advocate (SR-670[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) No.21814 of 2024
Date :22/01/2025

RK/SKN (13/02/2025) 5P / 6C
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