



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-10-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 17320 of 2025

1.S.Vairamuthu

2.M.Venkatesh

Petitioner(s)

Vs

State of Tamilnadu

Rep.by the Inspector of Police, Melur Police Station,
Madurai.

(Crime No.469 of 2025)

Respondent(s)

For Petitioner(s): Mr.J.William Christopher

For Respondent(s): Mr.S.S.Manoj, Government Advocate (Crl.side)

For Intervenor: Mr.Anandha Padmanaban Senior Counsel
for Mr.V.Malayendran

PETITION FOR Anticipatory BAIL Under Sec.482 of BNSS, 2023.

PRAYER :- For Anticipatory Bail in Cr.No.469 of 2025 on the file of the respondent police.

ORDER: The Court made the following order:-

The petitioners/Accused No.1 and 2, who apprehend arrest for the offences punishable under Sections 296(b), 356(1), 336(4), 308(4) and 351(2) of BNS Act, in Crime No.469 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the General

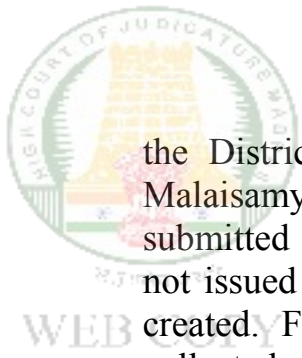


Secretary of the District List Wing of the Bharatiya Janata Party, Madurai East District. On 13.09.2025 at about 10.00 am the defacto complainant received information that some unidentified persons were extorting money from shopkeepers by threatening them, falsely using the name of the party in several shops including Vaira Prakesh Hotel and Sekar Hotel located on Melur Bazaar Street. Immediately the defacto complainant along with the party administrators went to the spot and inquired wherein the people at the shops said that the accused had come and said that they would come in the evening and collect the money and they left the place. Then the defacto complainant and other party persons advised the shopkeepers to inform the defacto complainant immediately if the accused visited again to collect the money. When the accused returned again, it was informed to the defacto complainant that the accused threatened Sekar Hotel owner Rajapandi, Pairavilas Hotel owner Meenakshi and Vaira Prakes Hotel owner Vairam by saying “pay the amount, we are asking politely, otherwise you will not be able to continue your business”, further the accused falsely claimed to be the members of the Bharatiya Janata Party. Upon receiving the information the defacto complainant and other party members went to the spot and identified the accused namely Vaiamuthu and Venkatesan and few other unidentified members, who were collecting money but they belong to Viduthalai CHiruthaigal Katchi (VCK party) from Madurai. The accused had prepared fake invitation in the name of Bharatiya Janata Party to tarnish the reputation of the party and were using the party to threaten and extort money from the business owners. It was also found they were using a car displaying the Bharatiya Janata Party flag improperly and were continuously engaging in such illegal activities. Hence the present case.

3. The contention of the accused is that there is some local body election motive between the petitioner and the defacto complainant, the petitioner has not committed any offence as alleged by the prosecution and the respondent is trying to foist the case and spoil the petitioner’s career. Hence prays for grant of anticipatory bail.

4. The Learned Counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The primary contention of the Learned Counsel appearing for the petitioner is that the petitioner is an Executive Member Madurai East for SC committee of the Bharatiya Janata Party. To substantiate the same the petitioners submitted that the proceedings dated 26.12.2023.

5. However, the Learned Senior Counsel appearing for the intervenor submitted that the petitioners were not appointed as Executive Members at all. To substantiate the same, he relied on the communication dated 19.06.2023 from



the District President Madurai East wherein it is started that Vairamuthu, Malaisamy and Anandraj are not holding any positions in the party. Further he submitted that the proceedings dated 26.12.2023 relied on the petitioner was not issued by the party at all, in fact the said letter head itself is fraudulently created. Further the petitioner had fraudulently printed receipts book and collected money from the traders. Based on the created letter head and receipts the petitioner is collecting money and defaming the party.

6. After hearing the rival submissions this Court perused the records. It is seen that in the bail petition the petitioner had stated that “the petitioner is in different political party and the defacto complainant is a Bharatiya Janata Party”. The petitioner himself claims he belongs to different political party. However, while making submissions the petitioner submitted that he was appointed as Executive Member SC Madurai East and produced the proceedings dated 26.12.2023. On perusing the same it is seen there is no proceedings at all and it is not signed by the appropriate authority. On the other hand, the defacto complainant submitted that the allegation against the petitioner is that he had created fake letter head and receipts and by using the same the petitioner is collecting money. When the defacto complainant is making serious allegation of fraudulently creating the letter head and receipts and also allegation of collecting money, then there is prima facie case against the petitioner. Therefore, this Court is not inclined to entertain the present Anticipatory Bail petition.



7. Accordingly, this Criminal Original Petition is dismissed.

WEB 16.10.2025

TMG

TO

1.The Inspector of Police,
Melur Police Station,
Madurai.

2.Judicial Magistrate, Melur.

3.The Additional Public Prosecutor,
Bench Of Madras High Court,

Madurai
Madurai.