



CRL OP(MD). No.21935 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.21935 of 2025

S.Senthil

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
South Gate Police Station,
Madurai District.
(Crime No.386 of 2025)

... Respondent/Complainant

For Petitioner : Mr.T.S.Ramakrishnan

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.386 of 2025 on the file of the
respondent police.



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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 318 (4) of BNS, 2023, in Crime No.386 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that between 13.09.2024 and 16.12.2024, the defacto complainant pledged gold ornaments purchased from A-1's shop with various institutions. She was later informed that the gold weight was less due to excess stone weight and sought repayment from accused Nos.3 and 4, offering to return the ornaments, but they failed to repay the amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that A-5 has already been granted anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the offences committed by the accused are serious in nature and that A-1, A-3, and A-4 have already been arrested and are in custody. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. The specific allegation against the petitioner is that he was present at the scene of occurrence accompanied along with A-1, but had no role in the entire transaction. Considering the above facts and that A-5 has already been granted anticipatory bail, 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 No.IV, Madurai, 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



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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 report before the respondent police daily at 10.30 a.m for a period of one week and thereafter, as and when required for 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 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;



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(f) if the accused thereafter abscond, a fresh FIR can be

WEB COPY registered under Section 269 of BNS 2023.

(S S Y J)
28.11.2025

jbr

To

1. The Judicial Magistrate No.IV, Madurai,
2. The Inspector of Police,
South Gate Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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S.SRIMATHY,J.

jbr

ORDER
IN
CRL OP(MD) No.21935 of 2025

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