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Crl.O.P.No.18150 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.18150 of 2026

Arul Jothi Ganesan

... Petitioner

Vs.

The State Represented by
The Inspector of Police (Crime),
R-1 Mambalam Police Station,
T.Nagar, Chennai.
(Crime No.0213 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner anticipatory bail in the event of his arrest in Crime No.0213 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.P.Venkatachalapathy

For Intervenor : Mr.J.S.Prithvi Raj

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4), 336, 338, 340 and 61(2) of BNS, 2023, and Sections 66C and 66D of the Information



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Technology Act, 2000, in Crime No.0213 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner is an employee of the de facto complainant. According to the prosecution, the allegation against the petitioner is that he created two fake entities in the names of existing customers, thereby received products from the de facto complainant, and sold them in the grey market, causing a loss to the company to the tune of Rs.14 crores. Hence, he prayed for the grant of anticipatory bail.

3. The learned counsel for the intervenor contended that this amount of Rs.14 crores includes tax evasion committed by the petitioner as well as the balance sale consideration. Hence, he opposed the grant of anticipatory bail.

4. The learned counsel for the petitioner disputed this contention and submitted that the petitioner has paid the entire dues.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail and submitted that

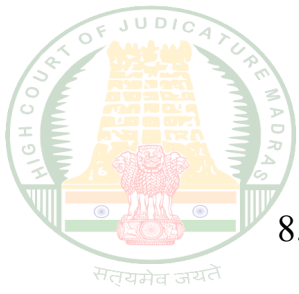


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the petitioner sold 2,000 cell phones and 800 iPads belonging to the de facto complainant, thereby cheating the de facto complainant of a sum of Rs.14 crores.

6. Though such allegations have been made, it is the admitted case of the de facto complainant that goods were supplied to the petitioner; however, their primary grievance is that the petitioner created two fake entities. Admittedly, there were transactions between the petitioner and the de facto complainant, and it appears that the petitioner has also paid certain amounts to the de facto complainant. In the course of these business transactions, a sum of Rs.14 crores is currently due.

7. From the submissions made by the learned counsel for the intervenor as well as the learned Government Advocate (Crl. Side), this Court finds that there were business dealings between the petitioner and the de facto complainant. Despite certain allegations regarding the creation of fake entities, considering the aforementioned peculiar circumstances, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **XVII Metropolitan Magistrate, Saidapet, Chennai**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the



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conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23.07.2026

cda

To

- 1.The XVII Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police (Crime),
R-1 Mambalam Police Station,
T.Nagar, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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