



WEB COPY



Crl.O.P.No.29797 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 06.12.2024

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29797 of 2024

1.Praveen Kumar

2.Selvakumar

3.Mahadevi

... Petitioners/A1 to A3

Versus

State Rep by

The Inspector of Police,

SRMC All Women Police Station,

SRMC, Avadi,

Thiruvallur District.

(Crime No.17 of 2024)

... Respondent

PRAYER : Criminal Original petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, praying to enlarge the petitioners on bail in the event of their arrest in Crime No.17 of 2024, on the file of the respondent police.

For Petitioners : Mr.M.Govindaraju

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

For Intervenor : Ms.A.Gunavarthani



CrI.O.P.No.29797 of 2024

ORDER

WEB COPY

Apprehending arrest in connection with Crime No.17 of 2024 registered for the offences punishable under Sections 294(b), 406 and 420 of I.P.C., the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the first petitioner and the de-facto complainant were under the pretext of love and marriage. He further submitted that the de-facto complainant purchased the second hand car in the name of the first petitioner. Since there was a problem in the car, the first petitioner sold the car and transferred the amount of Rs.1,50,000/- to the de-facto complainant's bank account. He would further submit that there are no specific allegations as against the petitioners 2 and 3 except that they threatened the de-facto complainant. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.



Crl.O.P.No.29797 of 2024

WEB COPY

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail is that, the first petitioner got acquainted with de-facto complainant through PUBG online game during Corona period. Later, they became friends, which developed into love. The first petitioner on the promise to marry her, had taken the amount of Rs.15 lakhs from the de-facto complainant and also asked her to purachse a car. The de-facto complainant had purchased a car for a sum of Rs.2.5 lakhs. Later, when the de-facto complainant refused to give more money (finding that the first petitioner cheated multiple girls using same modus operandi), the first petitioner called off the wedding and further threatened the de-faco complainant along with his parents and refused to return the amount of Rs.15 lakhs.

4.Learned Government Advocate would submit that the first petitioner and the de-facto complainant were friends. The first petitioner, on the assurance that he would marry her, had received Rs.15 lakhs from her and later cheated her.



Crl.O.P.No.29797 of 2024

WEB COPY

5.The learned counsel for de-facto complainant/intervenor would vehemently opposed stating that the de-facto complainant is working as Assistant Manager in HSBC Bank and that the first petitioner had induced her on the false assurance of marrying her and had taken the amount of Rs.15 lakhs.

6.Having heard the learned counsel for petitioners, learned Government Advocate (Crl. Side) for the respondent Police and the learned counsel for de-facto complainant and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on 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 No.I, Poonamallee, on condition that the petitioners shall execute a bond each 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 the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



CrI.O.P.No.29797 of 2024

[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 shall report before the respondent Police everyday at 10.30 a.m until further orders;

[c] the petitioners 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 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

06.12.2024

(2/2)

rsi



WEB COPY



Crl.O.P.No.29797 of 2024

A.D.JAGADISH CHANDIRA, J.

rsi

Crl.O.P.No.29797 of 2024

06.12.2024

(2/2)