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Crl.O.P.No.30090 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.30090 of 2024

M.Praveen @ Kuppan

... Petitioner/A2

Versus

State Rep. by
The Inspector of Police,
Avadi Police Station,
Avadi, Thiruvallur District.
(Crime No.876 of 2024)

... Respondent

PRAYER : Criminal Original petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, praying to enlarge the petitioner on anticipatory bail
in the event of the arrest pending investigation in Crime No.876 of 2024, on the
file of respondent police.

For Petitioner : Mr.S.Esakkimuthu

For Respondent : Mr.S.Santhosh

Government Advocate (Crl. Side)

ORDER

Apprehending arrest in connection with Crime No.876 of 2024
registered for the offences punishable under Sections 406 and 420 of I.P.C., the
present petition has been filed seeking anticipatory bail.



Crl.O.P.No.30090 of 2024

WEB COPY

2.Pleading innocence on the part of the petitioner, false implication in

the case, learned counsel for the petitioner seeks indulgence of this Court.

Learned counsel for the petitioner would submit that due to previous enmity, a false case has been foisted against the petitioner. He would further submit that the petitioner is known to A1, other than that he is nothing to do with the alleged offence. He would further submit that A1 has been arrested and released on bail. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

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 petitioner/accused along with A1 induced the de-facto complainant and several other persons under the guise of running Trust and cheated them to the tune of Rs.18 lakhs. He would further submit that the prime accused/A1 has been arrested and released on bail. He would further submit that there is no previous case pending against the petitioner.



Crl.O.P.No.30090 of 2024

WEB COPY

4.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

5.Considering the fact that A1 has been arrested and released bail and also the fact that there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail in the event of arrest or on 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.II at Poonamallee, 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 the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;



Crl.O.P.No.30090 of 2024

[b] the petitioner shall report before the respondent

Police everyday at 10.30 a.m until further orders;

[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 petitioner 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

Index : Yes / No

Internet : Yes/No

Neutral citation : Yes/No

Speaking / Non-speaking order

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WEB COPY



Crl.O.P.No.30090 of 2024

A.D.JAGADISH CHANDIRA, J.

rsi

Crl.O.P.No.30090 of 2024

06.12.2024