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CRL O.P. No.974 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.974 of 2025

R. Selvam S/o. Ramakrishnan

... Petitioner / Accused

Vs

State rep. by:-

The Deputy Superintendent of Police,
District Crime Branch, Tiruvannamalai.
[Cr. No.12 of 2024]

... Respondent

Raveendran S/o. Selvaraj

... Intervenor

[Permtited to intervene in Crl. O.P. No.974 of 2025
vide order passed in Crl. M.P. No.3058 of 2025
dated 20.02.2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.12 of 2024 on the file of the respondent police.

For Petitioner : Ms. R. Angalaparameswari

For Intervenor: Ms. B. Thenmozhi

For Respondent : Mr. S. Santhosh

Government Advocate

[Criminal side]

ORDER



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The petitioner / Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in connection with the case in Crime No.12 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was running a chit fund and had received huge sum of money from the general public and cheated them to the tune of Rs.70 lakhs.

3. Learned counsel appearing for the petitioner submitted that the petitioner is arrayed as A2 and he was working in Indian Army and he had no role in the alleged transactions; that a Chit fund was run by his wife and A3 Kapil Kumar; that A1 canvassed deposits for A3 and she is not a beneficiary in the transactions and that A1 was arrested and released on bail and hence sought for grant of anticipatory bail to the petitioner.

4. Learned counsel appearing for the defacto complainant /



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intervenor, who is one of the victims, submitted that the money was received only by A1 and A2 through bank; and that they were involved in the offence and hence opposed to grant anticipatory bail.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and also filed a counter affidavit of the respondent and submitted that a sum of Rs.1,60,000/- was transferred to the account of A2 and further stated that, A1 had collected the deposits from the general public and had transferred the chit fund amount to the tune of Rs.70,88,410/- to A3.

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

7. The 1st accused was arrested and released on bail. The counter affidavit filed by the respondent reveals that the deposits were received by A1 on behalf of A3 and it was transferred to his account. Considering



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the aforesaid facts and the nature of allegations against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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, Tiruvannamalai District** 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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.



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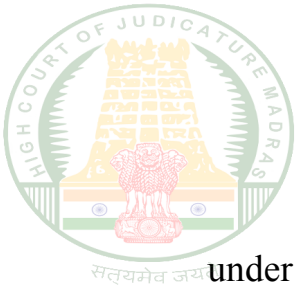
[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered



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under Section 269 B.N.S.

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To

1. The Judicial Magistrate No.I, Tiruvannamalai District
2. The Public Prosecutor, High Court, Madras.
3. The Deputy Superintendent of Police, District Crime Branch, Tiruvannamalai.

SUNDER MOHAN., J.

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