



Crl.O.P.No.897 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 28.01.2025

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THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.897 of 2025

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.... Petitioner

Vs

The State by
The Inspector of Police,
Tank Factory Police Station
Avadi
Crime No.812 of 2024

....Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to release the petitioner on anticipatory bail in the even of his arrest in Crime No. 812 of 2024 pending on the file of the respondent police.

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

ORDER

Apprehending arrest in connection with Crime No.812 of 2024 registered for the offences punishable under Sections 318(4) of BNS Act, the present petition has been filed by the petitioner seeking anticipatory bail.

2. The case of the prosecution is that the accused induced the defacto



Crl.O.P.No.897 of 2025

WEB COPY

complainant to invest on the assurance of giving high returns and received an amount of Rs.30,50,000/- from various persons including the defacto complainant and cheated them.

3. The learned counsel for the petitioner submitted that a case of financial dispute has been exaggerated and false complaint has been given as if it is a case of cheating. He would submit that even as per the prosecution only an amount of Rs.1,00,000/- has been paid by way of bank transaction and remaining amounts are set to have been paid by way of cash and reiterated that without prejudice the petitioner is ready to deposit Rs.6,00,000/- by way of three installments and he also filed an affidavit of undertaking.

3.The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner induced the defacto complainant on the assurance of giving high rates and received an amount of Rs.30,50,000/- from various persons including the defacto complainant and cheated them.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the



Crl.O.P.No.897 of 2025

materials available on record, 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, Ambattur, 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 fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter on every first and third Saturday 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] the petitioner shall deposit a sum of Rs.2,00,000/- to the credit of the Crime No.812 of 2024 on or before 15.02.2025 and another Rs.2,00,000/- on or before 15.03.2025 and the balance amount of Rs.2,00,000/- on or before 15.04.2025.

[f] On breach of any of the aforesaid conditions, the learned



Crl.O.P.No.897 of 2025

WEB COPY

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];

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

28.01.2025

Index : Yes/No

Internet : Yes/No

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To

1. The Inspector of Police,
Tank Factory Police Station
Avadi.

2.The Public Prosecutor,
High Court, Madras.

A.D.JAGADISH CHANDIRA, J,

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Crl.O.P.No.897 of 2025

Crl.O.P.No.897 of 2025

28.01.2025